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GOVERNMENT OF INDIA

SECRETARIAT OF THE GOVERNOR-GENERAL (REFORMS)

NOTIFICATION

New Delhi, the 14th August, 1947

No. G. G. O. 13.—The following Order made by the Governor-General is published for general information :—

**THE INDIAN INDEPENDENCE (MISCELLANEOUS
TRANSITIONAL PROVISIONS) ORDER, 1947**

In exercise of the powers conferred by section 9 of the Indian Independence Act, 1947, and of all other powers enabling him in that behalf the Governor-General is pleased to make the following Order.

1. (1) This Order may be cited as the Indian Independence (Miscellaneous Transitional Provisions) Order, 1947.

(2) It shall come into force at once.

2. (1) In this Order,—

‘appointed day’ means the fifteenth day of August, 1947;

‘Dominions’ means the Dominions of India and Pakistan;

‘India’ means the Dominion of India;

‘Pakistan’ means the Dominion of Pakistan;

‘Province’ includes a Chief Commissioner’s Province;

‘transitional period’ means the period beginning on the 15th August, 1947, and ending on the 31st March, 1948.

(2) The Interpretation Act, 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. (1) Each of the Acts mentioned in paragraph (2) of this Article, as it applies to either of the Dominions during the transitional period, shall have effect as if it extends to both the Dominions, and accordingly during that period, references to “India” in each of the said Acts as it applies to India shall be

construed as including a reference to all the Provinces of Pakistan and references to "Pakistan" in each of the said Acts as it applies to Pakistan shall be construed as including a reference to all the Provinces of India.

(2) The Acts referred to in paragraph (1) of this Article are:—

- (i) The Motor Vehicles Act, 1939 (IV of 1939);
- (ii) The Indian Tea Control Act, 1938 (VIII of 1938);
- (iii) The Indian Tea Cess Act, 1903 (IX of 1903).
- (iv) The Trade Marks Act, 1940 (V of 1940).

4. Without prejudice to the generality of the provision contained in Article 3 in respect of the Motor Vehicles Act, 1939,—

- (a) the extent of validity of any licence, certificate of registration or permit issued before the appointed day under the provisions of the said Act shall continue to be the same during the transitional period;
- (b) any licence issued during the transitional period under the provisions of the said Act as it applies to either of the Dominions shall during that period be effective throughout both the Dominions;
- (c) any motor vehicle registered during the transitional period in accordance with the provisions of the said Act as it applies to either of the Dominions shall not during that period require to be registered in any Province of the other Dominion, and the certificate of registration in respect of any such vehicle shall during that period be effective throughout both the Dominions.

5. Without prejudice to the generality of the provisions contained in Article 3 in respect of the Indian Tea Control Act, 1938, and the Indian Tea Cess Act, 1903,—

- (a) the Indian Tea Licensing Committee and the Indian Tea Market Expansion Board constituted under the said Acts and in existence immediately before the appointed day shall be deemed to have been constituted under the appropriate Act as it applies to either of the Dominions on the appointed day, and the said Committee and the said Board shall accordingly be competent to exercise the powers, and perform the duties, conferred or imposed on the Committee or the Board as the case may be by or under the appropriate Act in either of the Dominions;

- (b) all powers and functions of the Central Government under each of the said Acts as it applies to Pakistan shall be exercised by the Central Government of India on behalf of the Central Government of Pakistan.

6. Without prejudice to the generality of the provisions contained in Article 3 in respect of the Trade Marks Act, 1940,—

- (a) the Trade Mark Registry and the Branch thereof established, and the Registrar and Deputy Registrars of Trade Marks appointed, by or under the said Act, as in force immediately before the appointed day shall be deemed to have been established or as the case may be appointed, by or under that Act as it applies to either of the said Dominions on the appointed day and the said officers shall accordingly be competent to exercise the powers, and perform the duties conferred or imposed on the Registrar and Deputy Registrars respectively of Trade Marks by or under that Act in either of the Dominions;

- (b) all powers and functions of the Central Government under the said Act as it applies to Pakistan shall be exercised by the Central Government of India on behalf of the Central Government of Pakistan.

7. The provisions of this Order shall have effect notwithstanding anything to the contrary contained in the India (Adaptation of Existing Indian Laws) Order, 1947, or in the Pakistan (Adaptation of Existing Pakistan Laws) Order, 1947.

MOUNTBATTEN OF BURMA,
Governor-General.

K. V. K. SUNDARAM,
Officer on Special Duty.

SECRETARIAT OF THE GOVERNOR-GENERAL (REFORMS)

NOTIFICATION

New Delhi, the 14th August 1947.

No. G.G.O. 14.—The following Order made by the Governor-General is published for general information :—

**THE INDIA (PROVISIONAL CONSTITUTION)
ORDER, 1947**

WHEREAS by sub-section (2) of section 8 of the Indian Independence Act, 1947 (hereafter in the recitals to this Order referred to as the said Act), it is provided that except in so far as other provision is made by or in accordance with a law made by the Constituent Assembly of the Dominion under sub-section (1) of the said section, each of the new Dominions and all Provinces and other parts thereof shall be governed as nearly as may be in accordance with the provisions of the Government of India Act, 1935, and that the provisions of that Act shall, so far as applicable and subject to any express provisions of the said Act and with such omissions, additions, adaptations and modifications as may be specified in orders of the Governor-General under the next succeeding section of the said Act, have effect accordingly ;

AND WHEREAS by paragraph (c) of sub-section (1) of section 9 of the said Act it is provided that the Governor-General shall by order make such provision as appears to him to be necessary or expedient for making omissions from, additions to, and adaptations and modifications of, the Government of India Act, 1935, in its application to the separate new Dominions ;

AND WHEREAS by sub-section (4) of section 19 of the said Act it is provided that in the said Act, except so far as the context otherwise requires, references to the Government of India Act, 1935, include references to any enactments amending or supplementing that Act and in particular references to the India (Central Government and Legislature) Act, 1946 ;

NOW THEREFORE in exercise of the powers conferred by the said provisions of the said Act, the Governor-General is pleased to make the following Order :—

1. (1) This Order may be cited as the India (Provisional Constitution) Order, 1947.

(2) It shall come into force on the fifteenth day of August 1947, which day is hereinafter referred to as " the appointed day ".

2. (1) In this Order " India " means the Dominion of India.

(2) Where a provision of the Government of India Act, 1935, has been amended before the appointed day, a reference to that provision in the Schedule to this Order shall be read as referring to the provision as in force immediately before the appointed day.

(3) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. (1) As from the appointed day, the Government of India Act, 1935, including the provisions of that Act which have not come into force before the appointed day, and the India (Central Government and legislature) Act, 1946, shall, until other provision is made by or in accordance with a law made by the Constituent Assembly of India, apply to India with the omissions, additions, adaptations and modifications directed in the following provisions of this paragraph and in the Schedule to this Order.

(2) The following expressions shall be omitted wherever they occur, namely, "in his discretion", "acting in his discretion" and "exercising his individual judgment".

(3) For each expression specified in the first column of the following Table, wherever that expression occurs, there shall be substituted the expression specified in the corresponding entry in the second column of the Table.

TABLE

existing Indian law	.	.	existing law
existing Indian Act	.	.	existing law
Federation	.	.	Dominion
Federal Government	.	.	Dominion Government
Federal law	.	.	Dominion law
Federal Legislature	.	.	Dominion Legislature
Federated	.	.	Acceding
a Federated	.	.	an Acceding

4. Where the Schedule to this Order requires that in any specified provision certain words shall be substituted for certain other words or that certain words shall be omitted, that substitution or omission, as the case may be, shall, unless otherwise expressly provided, be made wherever the words referred to appear in that provision.

5. Where any instrument is in force under any provision of the Government of India Act, 1935, immediately before the appointed day, and that provision remains in force, whether with or without modifications, on and after the appointed day, the said instrument shall, so far as applicable and with any necessary modifications, remain in force as from that day as if it were an instrument of the appropriate kind duly made by the appropriate authority under the said provision as in force after that day, and may be varied or revoked accordingly.

6. Where any law made by the Governor of a Province by virtue of section 93 of the Government of India Act, 1935, is in force immediately before the appointed day, the said law, notwithstanding that the said section is directed to be omitted in the Schedule to this Order or that by reason of such omission a Proclamation under the said section ceases to have effect, shall remain in force for the period for which it would have remained in force if the said section had been at all material times in operation.

7. (1) Subject to any general or special orders or arrangements affecting his case, any person who immediately before the appointed day is holding any civil post under the Crown in connection with the affairs of the Governor-General or Governor-General in Council or of a Province other than Bengal or the Punjab shall, as from that day, be deemed to have been duly appointed to the corresponding post under the Crown in connection with the affairs of the Dominion of India or, as the case may be, of the Province.

(2) Notwithstanding that section 170 of the Government of India Act, 1935, is directed to be omitted in the Schedule to this Order, the person holding the office of the Auditor of Indian Home Accounts immediately before the appointed day is hereby authorised to continue, until such date as the Governor-General may specify, to perform such duties, and exercise such powers, in relation to transactions in the United Kingdom affecting the revenues of India or of any Province thereof as he was before the appointed day performing or exercising under the provisions of the said section 170.

THE SCHEDULE

1.-- The Government of India Act, 1935.

Section	Adaptations
2	Omit.
3	For this section substitute :— <p>“3. The Governor-General.—The Governor-General of India is appointed by His Majesty by a Commission under the Royal Sign Manual.”</p>
4	Omit.
5	For this section substitute :— <p>“5. Establishment of the Dominion.—(1) The Dominion of India established by the Indian Independence Act, 1947, shall as from the fifteenth day of August, 1947, be a Union comprising—</p> <p>(a) the Provinces hereinafter called Governors’ Provinces,</p> <p>(b) the Provinces hereinafter called Chief Commissioners’ Provinces,</p> <p>(c) the Indian States acceding to the Dominion in the manner hereinafter provided, and</p> <p>(d) any other areas that may with the consent of the Dominion be included in the Dominion.</p> <p>(2) The said Dominion of India is hereafter in this Act referred to as “the Dominion” and the said fifteenth day of August is hereafter in this Act referred to as “the date of the establishment of the Dominion”.</p>
6	For this section substitute :— <p>“6. Accession of Indian States.—(1) An Indian State shall be deemed to have acceded to the Dominion if the Governor-General has signified his acceptance of an Instrument of Accession executed by the Ruler thereof whereby the Ruler on behalf of the State :—</p> <p>(a) declares that he accedes to the Dominion with the intent that the Governor-General, the Dominion</p>

Section

Adaptations

Legislature, the Federal Court and any other Dominion authority established for the purposes of the Dominion shall, by virtue of his Instrument of Accession, but subject always to the terms thereof, and for the purposes only of the Dominion, exercise in relation to the State such functions as may be vested in them by order under this Act ; and

- (b) assumes the obligation of ensuring that due effect is given within the State to the provisions of this Act so far as they are applicable therein by virtue of the Instrument of Accession.

(2) An Instrument of Accession shall specify the matters which the Ruler accepts as matters with respect to which the Dominion Legislature may make laws for the State, and the limitations, if any, to which the power of the Dominion Legislature to make laws for the State, and the exercise of the executive authority of the Dominion in the State, are respectively to be subject.

(3) A Ruler may, by a supplementary Instrument executed by him and accepted by the Governor-General, vary the Instrument of Accession of his State by extending the functions which by virtue of that Instrument are exercisable by any Dominion authority in relation to his State.

(4) References in this Act to the Ruler of a State include references to any persons for the time being exercising the powers of the Ruler of the State, whether by reason of the Ruler's minority or for any other reason.

Section

Adaptations

(5) In this Act a State which has acceded to the Dominion is referred to as an Acceding State and the Instrument by virtue of which a State has so acceded, construed together with any supplementary Instrument executed under this section, is referred to as the Instrument of Accession of that State.

(6) As soon as may be after any Instrument of Accession or supplementary Instrument has been accepted by the Governor-General under this section, copies of the Instrument and of the Governor-General's acceptance thereof shall be laid before the Dominion Legislature, and all courts shall take judicial notice of every such Instrument and acceptance."

- 7 In sub-section (2), omit all words after " by or under this Act."
- 8 In sub-section (1), for paragraphs (a), (b) and (c), substitute " to the matters with respect to which the Dominion Legislature has power to make laws, including the exercise of rights, authority and jurisdiction in and in relation to areas outside the Dominion", and in the proviso omit paragraphs (iii) and (iv).
- 9 For this section substitute :—

" 9. **Council of ministers.** There shall be a council of ministers to aid and advise the Governor-General in the exercise of his functions".
- 10 In sub-section (2), omit " either Chamber of".
 Omit sub-section (5).
- 11 to 15 Omit.
- 16 In sub-section (2), for " British India " substitute " any Governor's or Chief Commissioner's Province " and for " federal interests " substitute " Dominion interests ". Omit sub-section (4).

Section	Adaptations
17	In sub-section (3) omit all words after " the said business ". Omit sub-sections (4) and (5).
18	For this section substitute :— " 18. Constitution of the Dominion Legislature. —The powers of the Dominion Legislature under this Act shall, until other provision is made by or in accordance with a law made by the Constituent Assembly under sub-section (1) of section 8 of the Indian Independence Act, 1947, be exercisable by that Assembly, and accordingly references in this Act to the Dominion Legislature shall be construed as references to the Constituent Assembly ".
19	In sub-section (1), omit " The Chambers of ". In sub-section (2), for " the Chambers " substitute " the Dominion Legislature ", omit " or either Chamber ", and omit paragraph (c). Omit sub-section (3).
20	In sub-section (1), omit " either Chamber of " and " or both Chambers assembled together ". In sub-section (2), omit " either Chamber of ", and for " a Chamber to whom any message is so sent " substitute " the Legislature ".
21	Omit " every counsellor ". For " either Chamber, any joint sitting of the Chambers and any committee of the Legislature " substitute " the Dominion Legislature or any committee thereof ".
22	Omit sub-sections (1), (2), (3) and (5). In sub-section (4) for " and the Deputy President of the Council of State " substitute " of the Dominion Legislature ", for " salaries " substitute " salary ", and omit " respectively ".

Section	Adaptations
23	<p>Omit " or Speaker ".</p> <p>In sub-section (1), for " or joint sitting of the Chambers " substitute " of the Dominion Legislature ".</p> <p>In sub-section (2), omit " A Chamber of ".</p> <p>In sub-section (3), for " a Chamber " and " the Chamber " substitute " the Legislature " .</p>
24 to 27	Omit.
28	<p>In sub-section (1), omit " either Chamber of ".</p> <p>In sub-section (2), for " the Chambers " substitute " the Dominion Legislature ".</p> <p>Omit sub-sections (3) and (4).</p> <p>In sub-section (5), for " a Chamber " substitute " the Legislature ".</p>
29	For " either Chamber " substitute " the Dominion Legislature ".
30	<p>For this section substitute :—</p> <p>"30. Provision as to Pending Bills.— (1) A Bill pending in the Dominion Legislature shall not lapse by reason of the prorogation of the Legislature.</p> <p>(2) A Bill which, immediately before the establishment of the Dominion, was pending in the Legislative Assembly of the Indian Legislature may, subject to any provision to the contrary which may be included in rules made by the Dominion Legislature under section 38 of this Act, be continued in the Dominion Legislature as if the proceedings taken with reference to the Bill in the said Legislative Assembly had been taken in the Dominion Legislature ".</p>
31	Omit.
32	<p>In sub-section (1) for " Chambers " substitute " Dominion Legislature ", and omit " or that he reserves the Bill for the signification of His Majesty's pleasure ".</p> <p>Omit sub-sections (2) and (3).</p>

Section	Adaptations
33	<p>In sub-section (1) omit "both Chambers of".</p> <p>In sub-section (2) omit all the words after "from other expenditure".</p> <p>In sub-section (3).—</p> <p>(i) in paragraph (a) for "required to be made by Order in Council" substitute "made by or under the Third Schedule to this Act";</p> <p>(ii) for paragraph (c) substitute—</p> <p>"(c) the salaries and allowances of ministers, of the advocate-general, and of chief commissioners";</p> <p>(iii) omit paragraphs (e), (f) and (g).</p> <p>Omit sub-section (4).</p>
34	<p>In sub-section (1) omit "either Chamber of" and "or paragraph (f)".</p> <p>In sub-section (2) for "Federal Assembly, and thereafter to the Council of State, and either Chamber" substitute "Dominion Legislature which", and omit the proviso.</p> <p>Omit sub-section (3).</p>
35	<p>In sub-section (1) for "Chambers" substitute "Legislature" and omit the proviso.</p> <p>In sub-section (2) for "both Chambers" substitute "the Legislature".</p> <p>To sub-section (3), add :—</p> <p>"Provided that expenditure from the said revenues during the period beginning with the 15th day of August 1947 and ending with the 31st day of March 1948 may be authorised or ratified by general or special order of the Governor-General".</p>
36	Omit "both Chambers of".
37	<p>In sub-section (1) omit all words after "Governor-General".</p> <p>In sub-section (3) for "either Chamber" substitute "the Dominion Legislature" and for "that Chamber" substitute "the Legislature".</p>

Section	Adaptations
38	In sub-section (1), omit " Each Chamber of " and the proviso. Omit sub-sections (2) and (4). In sub-section (3) after " with respect to " insert " the Legislative Assembly of " and for " Governor-General " substitute " President of that Legislature ".
39	Omit.
40	Omit sub-section (2).
42	For this section substitute :— " 42. Power of Governor-General to promulgate ordinances in cases of emergency. —The Governor-General may, in cases of emergency, make and promulgate Ordinances for the peace and good government of the Dominion or any part thereof, and any Ordinance so made shall, for the space of not more than six months from its promulgation have the like force of law as an Act passed by the Dominion Legislature ; but the power of making Ordinances under this section is subject to the like restrictions as the power of the Dominion Legislature under this Act to make laws ; and any Ordinance made under this section may be controlled or superseded by any such Act ".
43-45	Omit.
46	In sub-section (1) for the words from " Bengal " to " Sind " substitute " West Bengal, the United Provinces, East Punjab, Bihar, the Central Provinces and Berar, Assam and Orissa ".
	Omit sub-section (2).
47	For this section substitute :— " 47. Provisions as to Berar. —Berar shall continue to be governed together with the Central Provinces as one Governor's Province under this Act by the name of the Central Provinces and Berar and in the same manner as immediately before the establishment of the

Section	Adaptations
	Dominion ; and any references in this Act to the Dominion of India shall be construed as including a reference to Berar ”.
48	For sub-section (1) substitute :— “ (1) The Governor of a Province holding office as from the date of the establishment of the Dominion is appointed by His Majesty by a Commission under the Royal Sign Manual ; but any person appointed thereafter to be the Governor of a Province shall be appointed by the Governor-General.”
50	For this section substitute :— “ 50. Council of ministers. —There shall be a council of ministers to aid and advise the Governor in the exercise of his functions ”.
51	Omit sub-section (5).
52-54	Omit.
55	Omit sub-section (4).
56-58	Omit.
59	In sub-section (3) omit all words after “ said business ”. Omit sub-sections (4) and (5).
60	In sub-section (1) for “ Bengal, the United Provinces, Bihar and Assam ” substitute “ the United Provinces and Bihar ”.
62	Omit sub-section (3).
67	For the words from “ that one ” to the end substitute “ the form set out in that behalf in the Fourth Schedule to this Act ”.
68	Omit sub-section (2).
69	In sub-section (1), in paragraph (e), omit “ whether before or after the commencement of this part of this Act ”, and for “ by a court in British India or in a State which is a Federated State ” substitute “ before the date of the establishment of the Dominion by a court in British India, or on or after that date by a court in a Governor’s or Chief Commissioner’s Province or an acceding State ”, and in paragraph (f) for “ Federal ” substitute “ Dominion Legislature ”

Section

Adaptations

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| 71 | In sub-section (2) for the words from " commencement of this Part " to " Province " substitute " establishment of the Dominion enjoyed by members of that Chamber, or in the case of West Bengal and East Punjab, by members of the Provincial Legislative Assemblies of Bengal and the Punjab, respectively ". |
| 72 | Omit all words after " Legislature ", and add the following proviso :—

" Provided that until other provision is so made members of the Legislative Assemblies of West Bengal and East Punjab shall be entitled to receive salaries and allowances at such rates and upon such conditions as were immediately before the establishment of the Dominion applicable in the case of members of the Legislative Assemblies of Bengal and the Punjab, respectively ". |
| 74 | In sub-section (2) omit " or affects the discharge of any of his special responsibilities " and the last sentence. |
| 76 | In sub-section (1) omit " or that he reserves the Bill for the signification of His Majesty's pleasure thereon ". |
| | Omit sub-section (2). |
| 77 | Omit. |
| 78 | In sub-section (2) omit all words after " from other expenditure ". |
| | In paragraph (a) of sub-section (3) for " required to be made by Order in Council " substitute " made by or under the Third Schedule to this Act ". |
| | Omit sub-section (4). |
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Section	Adaptations
80	<p>Omit the proviso to sub-section (1).</p> <p>To sub-section (3), add :—</p> <p>“ Provided that expenditure from the revenues of the Province of West Bengal or East Punjab during the period beginning with the 15th day of August 1947 and ending with the 31st day of March 1948 may be authorised or ratified by general or special order of the Governor ”.</p>
83	Omit.
84	<p>In sub-section (1) omit the proviso.</p> <p>In sub-section (2) omit the last sentence.</p> <p>For sub-section (3) substitute :—</p> <p>“ (3) Until rules are made under this section the rules of procedure and standing orders in force immediately before the establishment of the Dominion with respect to the Legislative Assemblies of Bengal and the Punjab, respectively, shall have effect in relation to the Legislative Assemblies of West Bengal and East Punjab, subject to such modifications and adaptations as may be made therein by the Speakers of those Assemblies ”.</p>
85	Omit.
86	Omit sub-section (2).
88	<p>For the Proviso to sub-section (1) substitute :—</p> <p>“ Provided that the Governor shall not, without instructions from the Governor-General, promulgate any such ordinance if an Act of the Provincial Legislature containing the same provisions would under this Act have been invalid unless, having been reserved for the consideration of the Governor-General, it had received assent of the Governor-General ”.</p> <p>In sub-section (2) omit paragraph (b).</p>
89, 90	Omit.

Section	Adaptations
91	For this section substitute :— “ 91. Excluded areas and partially excluded areas. —In this Act, the expressions “ excluded area ” and “ partially excluded area ” mean respectively such areas as were excluded or partially excluded areas immediately before the establishment of the Dominion ”.
92	In sub-section (2) omit all words after “ shall have no effect ”. Omit sub-section (3).
93	Omit.
94	In sub-section (1) omit “ British Baluchistan ”. Omit sub-section (2).
95	Omit.
96	For this section substitute :— “ 96. The Andaman and Nicobar Islands. —The Governor-General may make regulations for the peace and good government of the Andaman and Nicobar Islands, and any regulations so made may repeal or amend any Act of the Dominion Legislature or any existing law which is for the time being applicable to the Province, and, when promulgated by the Governor-General, shall have the same force and effect as an Act of the Dominion Legislature which applies to the Province ”.
97	For “ His Majesty in Council ” substitute “ or in accordance with a law made by the Constituent Assembly under sub-section (1) of section 8 of the Indian Independence Act, 1947 ”.
98	Omit.
99	In sub-section (1) for “ for the whole or any part of British India or for any Federated State ” substitute “ (including laws having extra territorial operation) for the whole or any part of the Dominion. Omit sub-section (2).

Section	Adaptations
102	For sub-section (3) substitute :— “(3) A Proclamation of Emergency may be revoked by a subsequent Proclamation”.
104	Omit sub-section (2).
105	Omit.
107	In sub-section (2) omit “or for the signification of His Majesty’s pleasure”, and “or of His Majesty”.
108	Omit.
109	In sub-section (2), in paragraph (a) for “by the Governor-General or by His Majesty” substitute “or by the Governor-General”, and in paragraph (b) for “either by the Governor-General or by His Majesty” substitute “by the Governor-General”.
110-121	Omit.
123	Omit.
126	In the proviso to subsection (2) omit “either Chamber of”. Omit sub-section (4). In sub-section (5) for the words from “Without prejudice” to “Governor of” substitute “The Executive Authority of the Dominion shall also extend to the giving of directions to”.
126A	In paragraph (a) omit all words after “exercised”.
129	In sub-section (4) for “the Governor-General in his discretion” substitute “an arbitrator appointed by the Chief Justice of India”. In sub-section (5) omit all words after “any part thereof”.
131	Omit the proviso to sub-sections (5) and (7), the words “His Majesty in Council or”, and sub-section (9).
134	For “the Ruler whereof” substitute “unless the Ruler thereof”, and for “are not to apply” substitute “are to apply”.

Section	Adaptations
135	Omit "His Majesty upon consideration of representations addressed to him by". For "His Majesty in Council" substitute "the Governor-General".
136	Omit "and subject to the provisions of this Act with respect to the Federal Railway Authority".
138	For "Federal" substitute "Dominion"; and for "subsequent Order in Council" substitute "Order of the Governor-General". In sub-section (1) for "one per cent., or such other" substitute "such". In sub-section (4) for "His Majesty in Council" substitute "Order of the Governor-General", and omit "or of the Federal Railway Authority".
139	Omit.
140	In sub-section (2) for "one half or such greater proportion as His Majesty in Council may determine" substitute "such proportion as the Governor-General may by order determine".
142	For "His Majesty in Council" substitute "Order of the Governor-General", for "His Majesty" substitute "the Governor-General", and omit the proviso.
143	After sub-section (1) insert :— "(1A) Nothing in the foregoing provisions of this Chapter authorises the levy of any duty or tax by the Dominion in any acceding State unless provision in that behalf is made in the Instrument of Accession of that State".
145-149	Omit.
150	For "India" substitute "the Dominion".
151	Omit sub-section (2).
152	Omit.
153	Omit "either Chamber of".
154A	Omit "the Federal Railway Authority or" and "that authority or".

Section	Adaptations
155	In sub-section (1), for "British India" substitute "India".
157-161	Omit.
162	Omit "Subject to the provisions of Part XIII of this Act with respect to borrowing in sterling".
163	In sub-section (4), for "the Governor-General and the decision of the Governor-General in his discretion shall be final" substitute "an arbitrator appointed by the Chief Justice of India, whose decision shall be final."
165	Omit.
166	In sub-section (2), for "His Majesty in Council" substitute "Order of the Governor-General". In sub-section (3), for "His Majesty in Council" substitute "the Governor-General".
167	In sub-section (1), for "His Majesty" substitute "the Governor" and omit "after the expiration of two years from the commencement of Part III of this Act". In paragraph (b) of sub-section (2), for "sub-section (3)" substitute "sub-sections (2) and (3)"
170-173	Omit.
175	In sub-section (1), omit the proviso. In sub-section (2), omit "or of the exercise of the functions of the Crown in its relations with the Indian States". In sub-section (3), omit "Subject to the provisions of this Act with respect to the Federal Railway Authority".
176	Omit sub-section (2).
177	Omit.
178	Omit all sub-sections except sub-section (3). In sub-section (3), after "this Act" insert "and of the Indian Independence Act, 1947".

Section	Adaptations
179-199	Omit.
200	<p>In sub-section (1) for " as His Majesty " substitute " as the Governor-General " and for " an address has been presented by the Federal Legislature to the Governor-General for submission to His Majesty praying for " substitute " a resolution is passed by the Dominion Legislature approving ".</p> <p>In sub-section (2), for " His Majesty by warrant under the Royal Sign Manual " substitute " order of the Governor-General " and in paragraph (b) of the proviso omit " by His Majesty " where those words occur for the second time.</p> <p>In sub-section (3), omit " in British India or in a Federated State " and paragraph (i) of the proviso.</p> <p>Add the following to sub-section (3) :—</p> <p>" In this sub-section the expression ' High Court ' includes a High Court in an acceding State and any Court which was a High Court in British India ".</p>
201	For "His Majesty in Council" substitute "the Governor-General".
202	<p>In sub-section (1), for " appointed by His Majesty " substitute " permanently appointed " and for " for the purpose " substitute " as acting Chief Justice ".</p> <p>In sub-section (2), for " appointed by His Majesty " substitute " permanently appointed ".</p>
204	<p>In paragraph (a) of the proviso to sub-section (1).—</p> <p>in sub-paragraph (i), after the word " thereunder " insert " before the date of the establishment of the Dominion, or of an order made thereunder on or after that date, or the interpretation of the Indian Independence Act, 1947, or of any order made thereunder " :</p>

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Adaptations

for sub-paragraph (iii) substitute :—

“(iii) arises under an agreement between the State and the Dominion or a Province, being an agreement which expressly provides that the said jurisdiction shall extend to such a dispute, and in the case of an agreement with a Province, has been made with the approval of the Governor-General”.

- 205 In sub-section (1), omit “in British India”, and after “made thereunder” insert “before the date of the establishment of the Dominion or any order made thereunder on or after that date, or as to the interpretation of the Indian Independence Act, 1947, or of any order made thereunder”.
- 206 In sub-section (1), omit “in British India” and all words after “certificate as aforesaid”.
In sub-section (2), omit “in British India”.
In sub-section (3), omit “either Chamber of”.
- 207 In sub-section (1), for “made thereunder or” substitute “made thereunder before the date of the establishment of the Dominion or an order made thereunder on or after that date, or concerns the interpretation of the Indian Independence Act, 1947, or of an order made thereunder or concerns”.
- 208 In paragraph (a), for “made thereunder, or” substitute “made thereunder before the date of the establishment of the Dominion, or an order made thereunder on or after that date, or concerns the interpretation of the Indian Independence Act, 1947, or of an order made thereunder, or concerns”.
- 210 In sub-section (2), omit “as respects British India and the Federated States” and “in British India”, and for “British India or of any” substitute “a Governor’s Province, Chief Commissioner’s Province or”.

Section	Adaptations
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212	For "British India" substitute "any Governor's Province or Chief Commissioner's Province", and for "thereunder" substitute "or order thereunder, or of the Indian Independence Act, 1947, or of any order thereunder".
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216	Omit sub section (2).
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217	For "His Majesty" substitute "the Governor-General".
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218	Omit "in British India" and for "outside British India" substitute "outside India".
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219	For "British India" substitute "India". In sub-section (1) for the words from "Lahore" to "and in Sind" substitute "Patna and Nagpur, the High Court of East Punjab, the Chief Court in Oudh," for "His Majesty in Council" substitute "an Act of the appropriate Legislature", and in the proviso for the words from "has been made" to "then, as from" substitute "is made by His Majesty by Letters Patent for the establishment of a High Court to replace any court or courts mentioned in this sub-section, then, as from".
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Add the following sub-section :—

"(3) In this Chapter, "India means the territories comprised in the Governors' Provinces and Chief Commissioners' Provinces, and does not include any Acceding State".

220	In sub-section (1), for "as His Majesty may" substitute "as the Governor-General may" and for "His Majesty in Council may fix" substitute "the Governor-General may by order fix".
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In sub-section (2), for "His Majesty may by warrant under the Royal Sign Manual" substitute "the Governor-General", in paragraph (b) of the proviso omit "by His Majesty" where those words occur for the second time, and in paragraph (c) omit "by His Majesty".

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In sub-section (3), omit the proviso, and after "shall be included" insert "and in computing the period during which a person has served as a judge of a High Court, or been a pleader of a High Court, or held judicial office in India, any period before the establishment of the Dominion during which the person has served as a judge or been a pleader of a High Court in British India or has held judicial office in India, as the case may be, shall be included".

221 For "His Majesty in Council" substitute "order of the Governor-General".

222 In sub-section (1), for "appointed by His Majesty" substitute "permanently appointed" and for "for the purpose" substitute "as acting chief justice".

In sub-section (2), for "appointed by His Majesty" substitute "permanently appointed".

223 After "any other Act" insert "to the provisions of any order made under the Indian Independence Act, 1947", and for "commencement of Part III of this Act" substitute "establishment of the Dominion".

228 Omit sub-section (2).

230 In sub-section (1), for "His Majesty in Council" substitute "The Governor-General", for "extend" substitute "by order extend", and for "British India" substitute "India".

In sub-section (2), for "commencement of Part III of this Act" substitute "establishment of the Dominion".

231 In sub-section (2) omit "and expenses".

232-239 Omit.

Section	Adaptations
240	In sub-section (2), after "aforesaid" insert:— "who having been appointed by the Secretary of State or the Secretary of State in Council continues after the establishment of the Dominion to serve under the Crown in India shall be dismissed from the service of His Majesty by any authority subordinate to the Governor-General or the Governor according as that person is serving in connection with the affairs of the Dominion or of a Province, and no other such person as aforesaid".
241	In sub-section (1), omit " after the commencement of Part III of this Act". In sub-sections (2) to (5) omit "in India". In sub-section (3), in paragraph (a), for "some person empowered by the Secretary of State to give directions in that respect" substitute "the Governor-General or the Governor as the case may be", and in paragraph (b), for "Secretary of State or by some person empowered by the Secretary of State to give directions in that respect" substitute "Governor-General or the Governor as the case may be".
242	Omit sub-sections (1) and (2). In sub-section (3), after "to posts in the" insert "railway".
244-246	Omit.
247	For this section substitute :— " 247. Conditions of service of persons originally recruited by Secretary of State. —The conditions of service of all persons who, having been appointed by the Secretary of State or the Secretary of State in Council to a civil service of the Crown in India, continue on and

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Adaptations

after the date of the establishment of the Dominion to serve under the Government of the Dominion or of any Province, shall—

(a) as respects persons serving in connection with the affairs of the Dominion, be such as may be prescribed by rules made by the Governor-General ;

(b) as respects persons serving in connection with the affairs of a Province—

(i) in regard to their pay, leave, pensions, general rights as medical attendance and any other matter which immediately before the establishment of the Dominion was regulated by rules made by the Secretary of State, be such as may be prescribed by rules made by the Governor-General ; and

(ii) in regard to any other matter, be such as may be prescribed by rules made by the Governor of the Province."

248-252 Omit.

253 In sub-section (1), for "Orders in Council" substitute "orders of the Governor-General", and for "His Majesty" substitute "the Governor-General".

In sub-section (2) after "meaning of this Act" insert "as originally enacted".

Omit sub-section (3).

257-259 Omit.

260 For the words from " commencement of Part III " to the end of the sub-section substitute " establishment of the Dominion shall, if it would have been payable by the Government of any Province if the Indian Independence

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Act, 1947, had not been passed, be paid out of the revenues of that Province or, if that Province has ceased to exist, of such new Province as may be determined by orders made under that Act, and in any other case shall be paid out of the revenues of the Dominion of India or of Pakistan as may be so determined. "

261 Omit.

262 Omit sub-sections (3) and (5).

In paragraph (a) of the proviso to sub-section (4) for " is in the permanent service of the Crown in India " substitute " was in the permanent service of the Crown in India (within the meaning of this Act as originally enacted) ".

265 In sub-section (1) omit " in India ".

266 In sub-section (3) omit " The Secretary of State as respects services and posts to which appointments are made by him ", and " other " before " services and posts ".

In sub-section (4) for the words from " the various communities " to " in India " substitute " communities or in the case of the subordinate ranks of police forces ".

267 Omit all words after " Governor ".

269, 270 Omit.

271 In sub-section (2), for " Indian Code of Criminal Procedure " substitute " Code of Criminal Procedure, 1898 " and for " Indian Code of Civil Procedure " substitute " Code of Civil Procedure, 1908 ", and omit " either chamber of ".

Omit sub-section (2).

In sub-section (3), for " Indian Code of Civil Procedure " substitute " Code of Civil Procedure, 1908 ".

Section	Adaptations
272-274	Omit.
275	Omit paragraph (c).
277	Omit sub-sections (2) and (3).
278-289	Omit.
290	In sub-section (1) for " His Majesty may by Order in Council " substitute " the Governor-General may by Order ", and for the words from " before the draft " to " Chamber or Chambers of the Legislature " substitute " before making any such Order the Governor-General shall ascertain the views of the Government ".
	For sub-section (2) substitute :—
	" (2) An Order made under this sub-section may contain such provisions as the Governor-General may deem necessary or proper—
	(a) for varying the representation in the Dominion Legislature of any Governor's Province the boundaries of which are altered by the Order ;
	(b) for varying the composition of the Legislature of any such province ;
	(c) where a new Governor's Province is created for constituting the Legislature thereof ;
	(d) for apportionments and adjustments of and in respect of assets and liabilities ; and
	(e) for other supplemental, incidental and consequential matters. "
291	For " His Majesty in Council may from time to time make provision " substitute " in relation to any Provincial Legislature, provision may be made by Act of that Legislature ".
292-294	Omit.
295	Omit sub-section (1).

Section	Adaptations
296	In sub-section (1) for " British India " substitute " a Governor's or Chief Commissioner's Province ".
298	In sub-section (1) omit " British ".
	Omit sub-section (3).
299	In sub-section (1) omit " in British India ".
	In sub-section (3) omit " either Chamber of ".
300	Omit.
302	Omit.
303	In sub-section (1) for " Bengal " substitute " West Bengal ".
	Omit sub-section (3).
305A	Omit.
306	In sub-section (1) for " against the Governor of a Province, or against the Secretary of State " substitute " or against the Governor of a Province", for " His Majesty in Council " substitute " the Governor-General ", after " has been the Governor-General " insert " His Majesty's Representative for the exercise of the functions of the crown in its relations with Indian States ", and in the proviso for " a Province or the Secretary of State " substitute " or a Province ".
	Omit sub-section (2).
307-310	Omit.
311	Omit sub-sections (1), (3), (4) and (5).
	In sub-section (2)—
	In the definition of "corresponding Province" for " His Majesty in Council " substitute "the Governor-General " ;

Section	Adaptations
	in the definition of "existing law", for "commencement of Part III of this Act" substitute "establishment of the Dominion", and after "territories" insert "which were";
	in the definition of "pension" omit "in India, Burma or Aden";
	in the definition of "Indian State Railway" omit "the Federal Railway Authority".
	In sub-section (6) for "Federal" substitute "Dominion", and omit "or a Governor-General's Act" and "or a Governor's Act".
312-320	Omit.

Schedule	Adaptations
First Schedule	Omit.
Second Schedule	Omit.
Third Schedule	<p>In paragraph 1 omit all entries after the entry relating to the Governor-General, and insert :—</p> <p>“The Governor of a Province . . 66,000 rupees. Provided that the annual salary payable to any person who having been the Governor of a Province immediately before the 15th day of August, 1947, continues to be the Governor of that Province, shall be the same as before that date.”</p> <p>In paragraph 2 for “fixed by His Majesty in Council” substitute “fixed, as respects the Governor-General by Act of the Dominion Legislature, and as respects Governor by order of the Governor-General”, and for “determined by His Majesty in Council” substitute “so determined”.</p> <p>In paragraph 3 for “His Majesty in Council” substitute “such an Act, or, as the case may be, an order, as aforesaid”.</p> <p>In paragraph 4 for “Order in Council” substitute “such an Act, or, as the case may be, an order, as aforesaid”.</p> <p>In paragraph 5 for “appointed by His Majesty” substitute “appointed”, and for “His Majesty in Council” substitute “such an Act, or, as the case may be, an order as aforesaid”.</p> <p>After paragraph 6 insert :—</p> <p>“7. Until other provision is made by Act of the Dominion Legislature, the Governor-General shall be entitled to the same allowances and privileges as he was entitled to immediately before the date of the establishment of the Dominion under the rules and orders then in force.”</p>

Schedule	Adaptations
Fourth Schedule	For the Forms substitute :— <div style="text-align: center;">1</div> Form of oath or affirmation to be taken or made by a member of a Legislature :— “ I, A.B., having been elected (<i>or</i> nominated <i>or</i> appointed) a member of this Council (<i>or</i> Assembly), do solemnly swear (<i>or</i> affirm) that I will bear true faith and allegiance to the Constitution of India as by law established, and that I will faithfully discharge the duty upon which I am about to enter.” <div style="text-align: center;">2</div> Form of judicial oath or affirmation :— “ I, A. B., having been appointed Chief Justice (<i>or</i> a judge) of the Court do solemnly swear <i>or</i> affirm) that I will bear true faith and allegiance to the Constitution of India as by law established and that I will faithfully perform the duties of my office to the best of my ability, knowledge and judgment.”
Fifth Schedule	In paragraph 4.— in sub-paragraph (ii) for “ ten columns ” substitute “ nine columns ”, and omit “ (e) the European community.” Omit the last sentence. In paragraph 5, for “ His Majesty in Council may deem ” substitute “ the Governor-General may by order declare ”, and omit “ (v) for the election of persons to fill the European seats, if any ”. In paragraph 8, for “ fifteen to nineteen ” substitute “ fourteen to eighteen ”. Omit paragraph 11. In paragraph 12, omit “ by a European ”. In paragraph 14, for “ fifth and sixth ” substitute “ and fifth ”, omit “ the European community ”, for “ seventh ” substitute “ sixth ”, and for “ eighth ” substitute “ seventh ”.

Schedule	Adaptations
	In paragraph 15, for " His Majesty in Council may deem " su stitute " the Governor-General may by order declare ", and omit sub-paragraph (iii).
	In paragraph 16, omit " a European constituency ", and " a European ".
	In paragraph 19.- - for the definitions of " a European ", " an Anglo-Indian ", " an Indian Christian " and " the Scheduled castes " substitute the following definitions :— " ' a European ' means a person whose father or any of whose other male progenitors in the male line is or was of European descent and who is not a native of India or Pakistan or any Indian State ; ' an Anglo-Indian ' means a person whose father or any of whose other male progenitors in the male line is or was of European descent but who is a native of India, Pakistan or an Indian State ; ' an Indian Christian ' means a person who professes any form of the Christian religion and is not a European or an Anglo-Indian ; ' the scheduled castes ' means such castes, races or tribes or parts or groups within castes, races or tribes, being castes, races, tribes, parts or groups which appear to the Governor-General to correspond to the classes of persons formerly known as " the depressed classes " as the Governor-General may by order specify,". for " His Majesty in Council may from time to time " substitute " Governor-General may from time to time by order " ; for " His Majesty in Council " in the definition of " prescribed " subs itute " Order of the Governor-General ".
	In paragraph 20, for " His Majesty in Council " substitute " order of the Governor-General ". For the Tables of Seats substitute :—

TABLE OF SEATS
PROVINCIAL LEGISLATIVE ASSEMBLY

Province	Total Seats	General Seats		Seats for representatives of backward areas and tribes	Sikh Seats	Muhammadan Seats	Anglo-Indian Seats	Indian Christian Seats	Seats for representatives of commerce, industry, mining and planting	Landholders Seats	University Seats	Seats for representatives of labour	Seats for Women				
		Total of General Seats	General Seats reserved for Scheduled Castes										General	Sikh	Muhammadan	Anglo-Indian	Indian Christian
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Madras	212	146	30	1	..	28	2	8	6	6	1	6	6	..	1	..	1
Bombay	172	114	15	1	..	29	2	3	7	2	1	7	5	..	1	..	..
United Provinces	226	140	20	..	..	64	1	2	3	6	1	3	4	..	2	..	..
Bihar	150	86	15	7	..	39	1	1	4	4	1	3	3	..	1	..	..
Central Provinces & Berar	111	84	20	1	..	14	1	..	2	3	1	2	3	..	..	..	..
West Bengal	84	41	14	..	..	18	3	1	7	2	1	8	1	..	1	1	..
East Punjab	75	30	6	..	17	21	..	..	1	2	1	2	..	1	..	..	..
Assam	68	35	4	9	..	15	..	1	4	..	..	3	1	..	..	..	..
Orissa	60	44	6	5	..	4	..	1	1	2	..	1	2	..	..	..	..

In Bombay seven of the General Seats shall be reserved for Marathas.

In Assam and Orissa the Seats reserved for women shall be non-communal seats.

TABLE OF SEATS
PROVINCIAL LEGISLATIVE COUNCIL

1	2	3	4	5	6	7
Province	Total of Seats	General Seats	Muham- madan Seats	Indian Chri- stian Seats	Seats to be filled by Legislative Assembly	Seats to be filled by Governor
Madras . . .	Not less than 53 . Not more than 55 .	} 35	7	3	..	{ Not less than 8 Not more than 10
Bombay . . .	Not less than 28 . Not more than 29 .	} 20	5	..	..	{ Not less than 3 Not more than 4
United Provinces.	Not less than 57 . Not more than 59 .	} 34	17	..	..	{ Not less than 6 Not more than 8
Bihar	Not less than 28 . Not more than 29 .	} 9	4	..	12	{ Not less than 3 Not more than 4

Schedule	Adaptations
Sixth Schedule	<p>In Part I —</p> <p>in paragraph 5, omit “a European constituency” and “a European”;</p> <p>in paragraph 6, omit “European constituency”;</p> <p>in paragraph 12, for “British India police force” substitute “police force belonging to any Governor’s Province or Chief Commissioner’s Province”;</p> <p>in sub-paragraph (1) of paragraph 13, omit “European” and for “Part I of the First Schedule” substitute “the Fifth Schedule”;</p> <p>in sub-paragraph (2) of paragraph 13, for “an Order in Council delimiting territorial constituencies” substitute “the Government of India (Provincial Legislative Assemblies) Order, 1936, or an Act of the Provincial Legislature”, after “any such Order in Council” insert “. or Act”, and omit “European constituency”.</p>
	In paragraph I of Part III omit “European”.
	In Part IV.—
	<p>in the Title, for “Bengal” substitute “West Bengal”;</p> <p>in sub-paragraph (1) of paragraph 1, omit proviso (b);</p> <p>in paragraph 14, for “Bengal” substitute “West Bengal” and omit “European constituencies” and “European constituency”.</p>
	In Part VI, in the Title and in paragraph 10, for “The Punjab” substitute “East Punjab”.
	In Part IX.—
	<p>in paragraph 1, omit the proviso;</p> <p>in paragraph 9A, omit “British”.</p>
	Omit Parts X and XII.

Schedule	Adaptations
Seventh Schedule	<p data-bbox="280 349 418 382">In List I</p> <p data-bbox="293 421 646 454">for entry 1 substitute :—</p> <p data-bbox="330 473 991 763">“ 1. The naval, military and air forces of the Dominion and any other armed forces raised or maintained by the Dominion; and armed forces which are not forces of the Dominion but are attached to or operating with any of the armed forces of the Dominion; central intelligence bureau; preventive detention for reasons of State connected with defence or external affairs ”;</p> <p data-bbox="330 782 991 879">in entry 2, omit “ (not being cantonment areas of Indian State troops) ”, and omit “ within British India ”;</p> <p data-bbox="330 898 991 956">in entry 9, for “ Federal ” substitute “ Dominion ”;</p> <p data-bbox="330 975 991 1072">in entry 17, after “ domiciled in India ” insert “ or ” and omit “ or British subjects domiciled in the United Kingdom ”;</p> <p data-bbox="330 1091 991 1149">in entries 34 and 36, for “ Federal control ” substitute “ Dominion control ”;</p> <p data-bbox="330 1168 683 1201">for entry 39 substitute :—</p> <p data-bbox="330 1221 1004 1568">“ 39. Extension of the powers and jurisdiction of members of a police force belonging to any province to any area in another province, but not so as to enable the police of one province exercise powers and jurisdiction in another province without the consent of the Government of that Province; extension of the powers and jurisdiction of members of a police force belonging to any unit to railway areas outside that unit.</p> <p data-bbox="330 1588 979 1646">In this entry ‘ province ’ includes “ a Chief Commissioner’s province ”;</p>

Schedule	Adaptations
	in entry 40, omit " and of any Order in Council made thereunder ";
	in entry 41, for the words from " Federal Ministers " to " Federal Assembly " substitute " Dominion Ministers and of the President and Deputy President of the Dominion Legislature ", and omit " to such extent as is expressly authorised by Part II of this Act ".
	In List II.—
	in entry 11, omit " and of any Order in Council made thereunder "
	in entries 23 and 29, for " Federal " substitute " Dominion ";
	In entry 34 of List III, for " Federal " substitute " Dominion ".
Eighth Schedule	Omit.
Ninth Schedule	Omit.

II.—The India (Central Government and Legislature Act, 1946.

Section	Adaptations
1	Omit.
2	For " Indian Legislature " substitute " Dominion Legislature ".
	In sub-section (2) for " Governor-General in Council " substitute " Dominion ".
	In sub-section (3) omit " either Chamber of ".
	In sub-section (4) for " Federal " substitute " Dominion ".

Section	Adaptations
3	In sub-section (1) for the words " Indian Legislature " where they first occur substitute " Dominion Legislature ", and for " Governor-General in Council " substitute " Central Government ".
	In sub-section (2) for " Governor-General in Council " substitute " Dominion ".
4	For " both Houses of Parliament " substitute " the Dominion Legislature ".
	After section 4 insert the following :—
	" 4A. Powers of the Dominion Legislature to be Powers of the Constituent Assembly— The powers of the Dominion Legislature under this Act shall, until other provision is made by or in accordance with a law made by the Constituent Assembly under sub-section (1) of section 8 of the Indian Independence Act, 1947, be exercisable by that Assembly, and accordingly references in this Act to the Dominion Legislature shall be construed as references to the Constituent Assembly ".
6	Omit sub-section (1).

MOUNTBATTEN OF BURMA,
Governor-General.

K. V. K. SUNDARAM,
Officer on Special Duty.

**SECRETARIAT OF THE GOVERNOR-GENERAL
(REFORMS).**

NOTIFICATION

New Delhi, the 14th August, 1947

No. G. G. O. 15.— The following Order made by the Governor-General is published for general information :

**THE INDIA (PROVINCIAL LEGISLATURES)
ORDER, 1947.**

In exercise of the powers conferred by section 9 of the Indian Independence Act, 1947, and of all other powers enabling him in that behalf, the Governor-General is pleased to make the following Order :

1. (1) This Order may be cited as the India (Provincial Legislatures) Order, 1947.

(2) It shall come into force at once.

2. (1) In this Order,—

“appointed day” means the fifteenth day of August, 1947;

“sitting member”, in relation to a Provincial Legislative Assembly or Provincial Legislative Council, means a person who at the commencement of this Order is a member of that Assembly or as the case may be of that Council;

“East Punjab constituency” means a constituency specified in the Sixth Schedule to the Government of India (Provincial Legislative Assemblies) Order, 1936, as adapted by Article 3 of this Order;

“Punjab constituency” means a constituency specified in the Sixth Schedule to the Government of India (Provincial Legislative Assemblies) Order, 1936, as in force at the commencement of this Order;

“West Bengal constituency” means a constituency specified in the Fourth Schedule to the Government of India (Provincial Legislative Assemblies) Order, 1936, as adapted by Article 3 of this Order.

(2) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. As from the appointed day, the Government of India (Provincial Legislative Assemblies) Order, 1936, the Government of India (Provincial Legislative Councils) Order, 1936, the Government of India (Scheduled Castes) Order, 1936, and the Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936, shall, until other provision is made by or in accordance with a law made by the Constituent Assembly of India or, in relation to any Provincial Legislature, by or in accordance with an Act of that Legislature, apply to the Dominion of India—

(a) with the omission of the expression "exercising his individual judgment" and of the expression "in his discretion" wherever they occur in the said Orders, and

(b) with the omissions, additions, adaptations, and modifications directed in the Schedule to this Order.

4. (1) As from the appointed day, every sitting member of the Bengal Legislative Assembly representing a constituency which immediately before that day bears the same name as a West Bengal constituency shall, notwithstanding any alteration in the extent of that constituency be deemed to have been elected by that constituency to the Legislative Assembly of West Bengal.

Provided that no sitting member of the Bengal Legislative Assembly representing the Bengal Chamber of Commerce constituency shall be deemed to have been elected by that constituency to the Legislative Assembly of West Bengal.

(2) As from the appointed day, the sitting member of the Bengal Legislative Assembly representing the Calcutta University constituency shall be deemed to have been elected by the University constituency to the Legislative Assembly of West Bengal.

(3) Elections shall be held as soon after the appointed day as may be practicable to choose the members of the Legislative Assembly of West Bengal representing

(a) the Bengal Chamber of Commerce constituency, and

(b) the Calcutta Trades Association, Indian Jute Mills Association, Indian Tea Association and Indian Mining Association constituency.

(4) Unless the person who under the provisions of paragraph (1) of this Article is deemed to have been elected by the Railway Trade Union constituency or the Water Transport Trade Union constituency previously resigns his seat in the Legislative Assembly of East Bengal, he shall cease to be a member of the Legislative Assembly of West Bengal on the first day of September 1947, and his seat in that Assembly shall become vacant on that day.

5 (1) As from the appointed day, every sitting member of the Punjab Legislative Assembly representing a constituency which immediately before that day bears the same name as an East Punjab constituency shall, notwithstanding any alteration in the extent of that constituency, be deemed to have been elected by that constituency to the Legislative Assembly of East Punjab.

(2) The sitting members of the Punjab Legislative Assembly representing the Punjab constituencies specified in the first column of the following Table shall as from the appointed day be deemed to have been elected by the East Punjab constituency specified in the corresponding entry in the second column of the Table:

TABLE

<i>The Punjab Constituency</i>	<i>East Punjab Constituency</i>
Punjab Commerce and Industry.	East Punjab Commerce and Industry.
East Punjab Landholders.	Ambala Division Landholders.
Central Punjab Landholders.	Jullundur Division <i>cum</i> Amritsar District Landholders.

(3) The sitting member of the Punjab Legislative Assembly representing the general rural constituency of Amritsar and Sialkot and filling the seat not reserved for members of the scheduled castes shall as from the appointed day be deemed to have been elected by the general rural constituency of Amritsar to the Legislative Assembly of East Punjab.

(4) Unless the person who under the preceding provisions of this Article is deemed to have been elected by the East Punjab Commerce and Industry constituency or the Railway

Trade Union constituency or the University constituency previously resigns his seat in the Legislative Assembly of West Punjab, he shall cease to be a member of the Legislative Assembly of East Punjab on the first day of September, 1947, and his seat in that Assembly shall become vacant on that day.

6. (1) Every sitting member of the Assam Legislative Assembly representing a constituency whose name is not included in the Ninth Schedule to the Government of India (Provincial Legislative Assemblies) Order, 1936, as adapted by Article 3 of this Order shall on the appointed day cease to be a member of the Assam Legislative Assembly.

(2) All sitting members of the Assam Legislative Assembly representing the European Planting constituency shall on the appointed day cease to be members of that Assembly, and a by-election shall be held for the election of one member to represent that constituency.

(3) As from the appointed day the sitting member of the Assam Legislative Assembly representing the Indian Planting (Assam Valley) constituency shall, notwithstanding the alteration in the extent of that constituency, be deemed to have been elected by that constituency.

(4) On the appointed day the Assam Legislative Council shall cease to exist.

7. The sitting members of the Legislative Assemblies and Legislative Councils of Madras, Bombay, the United Provinces and Bihar representing European constituencies and the sitting member of the Legislative Assembly of the Central Provinces and Berar representing the European constituency shall on the appointed day cease to be members of the said Assemblies or Councils as the case may be.

THE SCHEDULE.

1.— THE GOVERNMENT OF INDIA (PROVINCIAL LEGISLATIVE ASSEMBLIES) ORDER, 1936.

Part	Paragraph	Adaptations
I	5	For "a Federated State" substitute "an acceding State".
	10	For "Bengal" substitute "West Bengal" and for "the Punjab" substitute "East Punjab".
	14	For "Bengal" substitute "West Bengal".
	16	For "Bengal" substitute "West Bengal".
	26	Omit.
II	4 and 5	Omit.
	19	In sub-paragraph (1), omit "British".
	28	In sub-paragraph (2), after "India" insert "or in an acceding State".
III	3	Omit.
	23	In sub-paragraph (2), after "India" insert "or in an acceding State".
IV	Title	For "Bengal" substitute "West Bengal".
	1	In sub-paragraph (4), omit "European".
	5 and 6	Omit.
	8	For the heading above paragraph 8, substitute " <i>Commerce and Industry Scales</i> ".
	9	In sub-paragraph (1), omit "mining or planting" and for "the constituent body" substitute "a constituent body". Omit sub-paragraph (4).

Part Paragraph Adaptations

- 15 In sub-paragraph (1), for "Burdwan and Presidency divisions" substitute "Burdwan division and that portion of the former Presidency division which is within the Province of West Bengal", and for "Dacca Rajshahi and Chittagong divisions" substitute "Jalpaiguri and Darjeeling districts".
- In sub-paragraph (3), omit clause (a).
- 18 In sub-paragraph (1), omit "or Chittagong"
- 27 For sub-paragraph (1) substitute:—
 "(1) The seat to be filled by a representative of University shall be filled by an election in a constituency to be called the University constituency".
- In sub-paragraph (2),—
 for "a University constituency" substitute
 "the University constituency";
 after "India" insert "or in an acceding State";
 for clause (a) substitute "(a) is a member of the Senate of the Calcutta University or";
 in clause (b), for "of the University" substitute "of the Calcutta University or of the Dacca University"; and
 omit the Proviso.
- V 3 Omit.
- 20 After "India" insert "or in an acceding State".
- VI Title For "The Punjab" substitute "East Punjab".
- 1 In sub-paragraph (1), for Parts "I to VIII" substitute "I to IV".
- In sub-paragraph (2), for "women's constituencies" substitute "women's constituency" and for "are constituencies" substitute "is the constituency".

Part	Paragraph	Adaptations
		After sub-paragraph (3) insert :—
		“(4) The definitions in Parts I and II of the Sixth Schedule to this order of the extent of a rural constituency by a reference to a division or district or part of a district shall not have effect of including in that district any part which is included in an urban constituency of the same communal description.”
	2	Omit.
	3	For “a seat” substitute “the seat”.
	4 and 5	Omit.
	6	In sub-paragraph (1), for “Part VIII” substitute “Part V”.
	10	For “Part IX” substitute “Part VI”.
	11	For the words from “the Tumandar’s constituency” to “any other” substitute “a”.
	12	For the words from “the Tumandar’s constituency” to “any other” substitute “a”.
	14	In sub-paragraph (1), for “Part X” substitute “Part VII”.
		In sub-paragraph (3), for “North Western Railway Union” substitute “trade unions mentioned in the second column of the first of the said tables”.
		In sub-paragraph (4), for the words from the beginning to “each such constituency” substitute “the remaining constituency shall be a non-union labour constituency and the electoral roll for that constituency”.
	15	In sub-paragraph (3), for “the North West Railway Union” substitute “a constituent railway trade union”.
	18	In sub-paragraph (2), after “India” insert “or in an acceding State”.
VII	3	Omit.

Part	Paragraph	Adaptations
VIII	22	In sub-paragraph (2), after "India" insert "or in an acceding State".
	1	In sub-paragraph (4), for "a European constituency" substitute "constituency".
	3	Omit.
IX	20	In sub-paragraph (2), after "India" insert "or in an acceding State".
	3	Omit.
	5	Omit "British".
	9	In sub-paragraph (2), for "a British Indian police force" substitute "an Indian police force".
		In sub-paragraph (3), omit "British".
	11	In sub-paragraph (1), for "seven" substitute "one" and for "two" substitute "one".
	12	In sub-paragraph (1), for "either of the Indian planting constituencies" substitute "the Indian planting constituency".
	20	In sub-paragraph (1), for "the Thakurbari constituency and the Silchar constituency" substitute "and the Thakurbari constituency".
		In sub-paragraph (2), for "the Biswanath constituency and the Srimangal constituency" substitute "and the Biswanath constituency".
X		Omit.
XII		Omit.

Schedule	Adaptations
Second Schedule .	. Omit Part V.
Third Schedule .	. Omit Part V.
Fourth Schedule .	. For this Schedule substitute : -

FOURTH SCHEDULE.

WEST BENGAL CONSTITUENCIES.

I.—General Constituencies.

Name of Constituency	Extent of Constituency.	No. of Seats.	Scheduled Castes Seats.
<i>(i) Urban.</i>			
Calcutta North.	The Shampukur, Kumartuli, Belgachia, Satpukur and Cosipur wards of Calcutta.	1	..
Calcutta East.	The Bartola, Sukea Street, Beliaghatta and Maniktala wards of Calcutta.	1	..
Calcutta West.	The Jorabagan Bara Bazar, Bow Bazar and Waterloo Street wards of Calcutta.	1	..
Calcutta Central.	The Jorasanko, Collootola and Muchipara wards of Calcutta.	1	..
Calcutta South Central.	The Paddapukur, Fenwick Bazar, Taltala, Kalinga, Park Street, Baman Bustee, Tangra Entally, Beniapukur and Ballyganj wards of Calcutta.	1	..
Calcutta South.	The Bhowanipur, Kalighat, Alipore, Ekbalpur, Watganj and Hastings and Tollyganj wards of Calcutta.	1	..
Hooghly cum Howrah Municipal.	The municipalities of the Hooghly and Howrah districts.	1	..
Burdwan Division North Municipal.	The municipalities of the Burdwan, Birbhum, Bankura and Midnapore districts and the town of Kharagpur in the Midnapore district.	1	..
24-Parganas Municipal.	The municipalities and cantonment of the 24-Parganas district.	1	..

Name of Constituency	Extent of Constituency	No of Seats	Scheduled Castes Seats
<i>(ii) Rural.</i>			
Burdwan Central.	The Sadar sub-division of the Burdwan district excluding municipal areas.	2	1
Burdwan North-West.	The Kalna, Katwa and Asansol sub-divisions of the Burdwan district excluding municipal areas.	2	1
Birbhum.	The Birbhum district excluding municipal areas.	2	1
Bankura West.	The Sadar sub-division of the Bankura district excluding municipal areas.	2	1
Bankura East.	The Bishnupur sub-division of the Bankura district excluding municipal areas.	1	..
Midnapore Central.	The Sadar sub-division of the Midnapore district excluding municipal areas and the town of Kharagpur.	2	1
Jhargram cum Ghatal.	The Jhargram and Ghatal sub-divisions of the Midnapore district excluding municipal areas.	2	1
Midnapore East.	The Tamluk sub-division of the Midnapore district excluding municipal areas.	1	..
Midnapore South-West.	The Egra, Ramnagar and Contai police-stations in the Contai sub-division of the Midnapore district.	1	..
Midnapore South-East	The Khejri, Patashpur and Bhagwanpur police-stations in the Contai sub division of the Midnapore district.	1	..
Hooghly North-East.	The Sadar sub-division and the Serampore, Uttarpara, Bhadreswar, Singur and Chanditala police-stations in the Serampore sub-division of the Hooghly district excluding municipal areas.	2	1

Name of Constituency	Extent of Constituency	No. of Seats.	Scheduled Castes Seats
<i>(ii) Rural—contd.</i>			
Hooghly South-West	The Arambagh sub-division and the Haripal, Turkeswar and Jangipara police-stations in the Serampore sub-division of the Hooghly district excluding municipal areas.	1	..
Howrah	The Howrah district excluding municipal areas	2	1
24-Parganas South-East.	The Sadar and Basirhat sub-divisions of the 24-Parganas district excluding municipal areas.	2	1
24-Parganas North-West	The Barrackpore, Barasat and Diamond Harbour sub-divisions of the 24-Parganas district excluding municipal and cantonment areas.	2	1
Khulna	The Khulna district	3	2
Jalpaiguri cum Siliguri.	The Jalpaiguri district and the Siliguri sub-division of the Darjeeing district.	3	2
Darjeeing	The Sadar, Kurseong and Kalimpong sub-divisions of the Darjeeing district	1	..

II—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of Seats.
<i>(i) Urban.</i>		
Calcutta North.	The Shampukur, Kumartuli, Bartola, Sukos Street, Jorabagan, Jorasanko, Bara Bazar, Collootola, Muchipara, Bow Bazar, Paddapukur, Waterloo Street, Beliaghatta, Maniktala, Belgachia, Satpukur and Gossipur wards of Calcutta.	1

Name of Constituency	Extent of Constituency	No. of Seats
(i) <i>Urban</i> —contd.		
Calcutta South.	The Fenwick Bazar, Taltala, Kalinga, Park Street, Bamun Bustee, Tangra, Entally, Beniapukur, Ballygunj, Bhowanipur, Kalighat, Alipore, Ekbalpur, Watganj and Hastings, and Tollyganj wards of Calcutta.	1
Hooghly cum Howrah Municipal.	The municipalities of the Hooghly and Howrah districts.	1
Barrackpore Municipal.	The municipalities and cantonment of the Barrackpore subdivision of the 24-Parganas district	1
24-Parganas Municipal.	The municipalities of the Sadar, Barasat and Basirhat subdivisions of the 24-Parganas district.	
(ii) <i>Rural</i> .		
Burdwan . . .	The Burdwan district	1
Birbhum . . .	The Birbhum district	1
Bankura . . .	The Bankura district	1
Midnapore . . .	The Midnapore district	1
Hooghly . . .	The Hooghly district, excluding municipal areas.	1
Howrah . . .	The Howrah district, excluding municipal areas.	1
24-Parganas South	The Diamond Harbour sub-division and the Bishnupur, Baruipur and Jayanagar police stations of the Sadar sub-division of the 24-Parganas district, excluding municipal areas.	1

Name of Constituency	Extent of Constituency	No. of Seats
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(ii) *Rural*—contd.

24-Parganas Central.	The Tollyganj, Sonarpur, Behala, Metiabruz, Maheshtola. Canning, Budge-Budge and Bhargar police-stations of the Sadar sub-division, the Barrackpore sub-division and the Barasat, Amdanga and Rajarhat police-stations of the Barasat sub-division of the 24-Parganas district, excluding municipal and cantonment areas.	1
24-Parganas North-East.	The Basirhat sub-division and the Deganga and Habra police-stations of the Barasat sub-division of the 24-Parganas district, excluding municipal areas.	1
Khulna . . .	The Sadar sub-division of the Khulna district.	1
Satkhira . . .	The Satkhira sub-division of the Khulna district.	1
Bagerhat . . .	The Bagerhat sub-division of the Khulna district.	1
Jalpaiguri cum Darjeeling.	The Jalpaiguri and Darjeeling districts . . .	1

III.—WOMEN'S CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
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(i) *General Urban*.

Calcutta (General)	<p><i>Part I.</i>—The area bounded on the North by Grey Street, on the South by Bow Bazar Street, on the East by Upper Circular Road and on the West by Chittaranjan Avenue with extension up to Grey Street.</p> <p><i>Part II.</i>—The area bounded on the North by Park Street, on the South and East by Lower Circular Road and on the West by Chowringhee Road.</p>	1
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Name of Constituency	Extent of Constituency	No. of Seats
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(i) *General Urban*—contd.

Calcutta (General) —*contd.* *Part III.* The Ballyganj, Bhowanipur, Alipore and Tollyganj wards of Calcutta

(ii) *Muhammadian Urban.*

Calcutta (Mu- hammadian). Calcutta as defined in section 3 (11) of the Calcutta Municipal Act, 1923. 1

IV.—ANGLO-INDIAN CONSTITUENCY.

Name of Constituency	Extent of Constituency	No. of Seats
Anglo-Indian	The whole of West Bengal (excluding the Chittagong Hill Tracts).	4 (including one woman's seat).

VI.—INDIAN CHRISTIAN CONSTITUENCY.

Name of Constituency	Extent of Constituency	No. of Seats
Calcutta <i>own</i> Presidency Division.	Calcutta, Khulna and 24-Parganas districts.	1

VII.—COMMERCE AND INDUSTRY CONSTITUENCIES

Name of Constituency	No. of Seats
Bengal Chamber of Commerce	1
Calcutta Trades Association, Indian Jute Mills Association, Indian Tea Association and Indian Mining Association,	1
Bengal National Chamber of Commerce	2
Indian Chamber of Commerce	1
Marwari Association	1
Muslim Chamber of Commerce	1

VIII.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
Burdwan Land- holders.	The Burdwan Division	1
Presidency Land- holders	All districts other than the Chittagong Hill Tracts and the districts of Burdwan Division	1

IX. —LABOUR CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
<i>(i) Trade Union Labour.</i>		
Railway Trade Union.	Registered trade unions of railway workers operating in the Province.	1
Water Transport Trade Union.	Registered trade unions of water transport workers operating in the Province.	1
<i>(ii) Factory and Colliery Labour.</i>		
Calcutta and Suburbs (Registered Factories).	Calcutta and the Sadar sub-division of the 24-Parganas district.	1
Barrackpore (Registered Factories).	The Barrackpore sub-division of the 24-Parganas district.	1
Howrah (Registered factories).	The Howrah district	1
Hooghly cum Serampore (Registered factories).	The Sadar and Serampore sub-divisions of the Hooghly district.	1
Colliery (Coal Mines).	The Asansol sub-division of the Bardwan district.	1
<i>(iii) Tea Garden Labour</i>		
<i>First election</i>		
Bengal Dooars (Western).	The following tea gardens:—	
	Good Hope <i>alias</i> Sisubari.	1
	Dam Dim.	
	Ranicherra.	
	Kumlai.	
	Rangamati.	
	Gurjanghora.	
	Hahaipotha.	
	New Glencoe.	
	Sylee.	
	Nedam.	

Name of Constituency	Extent of Constituency	No. of Seats
(ii) <i>Tea Garden Labour</i> —contd.		
	<i>Second election</i>	
Darjeeling Sadar	The following tea gardens : Arya. Steinthal. Happy Valley. Windsor. Phoobsering. Singtom. Soom. Patabong. Rungneet. Pandam. Bannockburn. Bloomfield.	1
	<i>Third election</i>	
Bengal Dooars (Eastern).	The following tea gardens : Atiabari. Bhatkawa. Rajabhat. Dima. Kalchini. Chauapara. Mechpara. Bhatpara. Radharani. Madhu. Satali.	
	<i>Fourth election</i>	
Kurseong . . .	The following tea gardens : - Maharani. Edenvale. Singell. Monteviot. Makaibari. Ambootia. Springside. Castleton. Giddapahar. Murbong. Sepoydhura.	

X.—UNIVERSITY CONSTITUENCY

Name of Constituency	Extent of Constituency	No. of Seats
University	Non-territorial	1

Schedule	Adaptations
Fifth Schedule	Omit Part V.
Sixth Schedule	For this Schedule substitute:—

SIXTH SCHEDULE.

THE EAST PUNJAB CONSTITUENCIES.

I. GENERAL CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats	Scheduled Castes Seats
(i) <i>Urban.</i>			
Southern Towns.	The municipalities of Bhiwani, Hissar, Sirsa, Hansi, Rohtak, Sonapat, Beri, Jhajjar, Rowari and Palwal; the small towns of Budhlada, Tohana, Meham and Hidayatpur Chhaoni (Gurgaon); and the Civil Lines of Rohtak.	1	..
South- Eastern Towns.	The municipalities of Panipat, Karnal, Kaithal, Shahabad, Ambala, Ambala Cantonment Sadr Bazar, Kalka, Jagadhri, Sadhaura, Rupa, Simla, Ludhiana, Jagraon and Raikot; the cantonments of Ambala, Kasauli, Dagshai, Sabathu and Jutogh; and the notified areas of Kaithal Mandi, Karnal Civil Station and Ambala Civil Station.	1	..

Name of Constituency	Extent of Constituency	No. of Seats	Scheduled Castes Seats
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(i) Urban—contd.

Eastern Towns.	The municipalities of Dharamsala, Hoshiarpur, Urmur Tanda, Kartarpur, Jullundur, Nakodar, Moga, Ferozepore, Muktsar, Abohar, Fazilka, Jandiala and Tarn Taran; the cantonments of Dharamsala, Jullundur and Ferozepore; and the Civil Lines of Hoshiarpur.	1	.
Amritsar City.	The municipality and cantonment of Amritsar.	1	..

(ii) Rural.

Hissar South.	The Hissar and Bhiwani Tahsils of the Hissar district.	1	.
Hansi	The Hansi Tahsil of the Hissar district.	1	..
Hissar North.	The Fatehabad and Sirsa Tahsils of the Hissar district.	1	..
Rohtak North.	The Sonapat tahsil and the police station areas of Gohana and Barauda of the Rohtak district.	1	.
Rohtak Central.	The Rohtak tahsil and the police station area of Meham of the Rohtak district.	1	..
Jhajjar	The Jhajjar tahsil of the Rohtak district.	1	..
North-West Gurgaon.	The Gurgaon and Rewari tahsils of the Gurgaon district.	1	..
South-East Gurgaon	The Ferozepore-Jhirka, Nuh, Palwal and Ballabhgarh tahsils of the Gurgaon district.	2	1
Karnal South.	The Karnal and Panipat tahsils of the Karnal district.	1	..
Karnal North.	The Kaithal and Thanesar tahsils of the Karnal district.	2	1
Ambala and Simla.	The Ambala and Simla districts.	2	1

Name of Constituency	Extent of Constituency.	No. of Seats	Scheduled Castes Seats
(ii) <i>Rural</i> — contd.			
Kangra North.	The police station areas of Shahpur, Dharamsala, Kangra and Palampur (excluding the Zail of Bhangal) of the Kangra district.	1	
Kangra South.	The police station areas of Barsar, Hamirpur and Sujampur of the Kangra district.	1	
Kangra East.	The police station areas of Kulu and Seraj and the Zail of Bhangal of the Palampur tahsil of the Kangra district.	1	
Kangra West.	The police station areas of Indaura, Nurpur, Haripur and Jawalamukhi of the Kangra district.	1	
Hoshiarpur West.	The Hoshiarpur, Dasuya and Garhshankar tahsils of the Hoshiarpur district.	2	
Una.	Una tahsil of the Hoshiarpur district.	1	
Jullundur	The Jullundur district . . .	2	
Ludhiana and Ferozepore	The Ludhiana and Ferozepore districts.	2	
Amritsar	The Amritsar district . . .	1	

II. MUHAMMADAN CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
(i) <i>Urban</i>		
Southern Towns	The municipalities of Bhiwani, Hissar, Sirsa, Hansi, Rohtak, Sonapat, Beri, Jhajjar, Rewari, Palwal, Panipat, Karnal, Kaithal and Shahabad; the notified areas of Kaithal Mandi and Karnal Civil Station; the small towns of Budhlada, Tohana, Meham and Hidayatpur Chhaoni (Gurgaon); and the Civil Lines of Rohtak.	1

Name of Constituency	Extent of Constituency	No. of Seat
<i>(i) Urban- contd.</i>		
South-Eastern Towns.	The municipalities of Ambala, Ambala Cantonment Sadr Bazar, Kalka, Jagadhri, Sadhaura, Rupar, Sirsa, Ludhiana, Jagraon and Raikot; the cantonments of Ambala, Kasauli, Dagshai, Sabathu and Jutogh; and the notified area of Ambala Civil Station.	1
Eastern Towns .	The municipalities of Dharamsala, Hoshiarpur, Urmur Tanda, Kartarpur, Jullundur Nakodar, Moga, Ferozepore, Muktsar, Abohar, Fazilka, Jandiala and Tarn Taran; the cantonments of Dharamsala, Jullundur and Ferozepore; and the Civil Lines of Hoshiarpur	1
Amritsar City .	The municipality and cantonment of Amritsar.	1
<i>(v) Rural</i>		
Hissar .	The Hissar district	1
Rohtak .	The Rohtak district	1
North-West Gurgaon.	The tahsils of Gurgaon, Rewari, Ballabgarh and Nuh of the Gurgaon district.	1
South-East Gurgaon.	The tahsils of Ferozepur-Jhirka and Palwal of the Gurgaon district.	1
Karnal	The Karnal district	1
Ambala and Simla	The Ambala and Simla districts	1
Kangra and Eastern Hoshiarpur	The Kangra district and the Dasuya and Una tahsils of the Hoshiarpur district.	1
Hoshiarpur West	The Hoshiarpur and Garhshankar tahsils of the Hoshiarpur district.	1
Jullundur North .	The Jullundur and Nawashahr tahsils of the Jullundur district.	1
Jullundur South .	The Phillaur and Nakodar tahsils of the Jullundur district.	1
Ludhiana	The Ludhiana district	1
Ferozepore Central	The Ferozepore and Muktsar tahsils of the Ferozepore district.	1

Name of Constituency	Extent of Constituency	No. of Seats
(ii) <i>Rural</i> —contd.		
Ferozepore East .	The Zira and Moga tahsils of the Ferozepore district.	1
Fazilka . . .	The Fazilka tahsil of the Ferozepore district.	1
Amritsar . . .	The Amritsar tahsil of the Amritsar district	1
Tarn Taran . .	The Tarn Taran tahsil of the Amritsar district.	1
Ajnala . . .	The Ajnala tahsil of the Amritsar district	1

III.—SIKH CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
(i) <i>Urban</i> .		
Eastern Towns .	The municipalities of Bhiwani, Hissar, Sisa, Hansi, Rohtak, Sonapat, Beri, Jhajjar, Rewari, Palwal, Panipat, Karnal, Kaithal, Shahabad, Ambala, Ambala Cantonment Sadr Bazar, Jagadhri, Sadhaura, Rupar, Kalka, Simla, Ludhiana, Jagraon, Raikot, Dharamsala, Hoshiarpur, Urmur Tanda, Kartarpur, Jullundur, Nakodar, Moga, Ferozepore, Muktsar, Abohar, Fazilka, Amritsar, Jandiala and Tarn Taran; the cantonments of Ambala, Kasauli, Dagshai, Sabathu, Jutogh, Dharamsala, Jullundur, Ferozepore and Amritsar; the notified areas of Kaithal Mandi, Karnal Civil Station and Ambala Civil Station; the small towns of Budhlada, Tohana, Meham and Hidayatpur Chhaoni (Gurgaon); and the Civil Lines of Rohtak and Hoshiarpur.	

(ii) *Rural*.

South-East Punjab	The district of Hissar, Rohtak, Gurgaon Karnal and Simla and the Ambala, Naraingarh and Jagadhri tahsils of the Ambala district.	
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Name of Constituency	Extent of Constituency	No. of Seats
<i>(ii) Rural—contd.</i>		
Ambala North .	The Kharrar and Rupar tahsils of the Ambala district.	1
Kangra and Northern Hoshiarpur.	The Kangra district and the Hoshiarpur and Dasuya tahsils of the Hoshiarpur district.	1
Hoshiarpur South	The Garhshankar and Una tahsils of the Hoshiarpur district.	1
Jullundur West .	The Jullundur and Nakodar tahsils of the Jullundur district.	1
Jullundur East .	The Nawashahr and Phillaur tahsils of the Jullundur district.	1
Ludhiana East .	The Samrala tahsil and the police station areas of Sahnewal and Ludhiana Sadr of the Ludhiana district.	1
Ludhiana Central	The Ludhiana tahsil of the Ludhiana district excluding the police station areas of Sahnewal and Ludhiana Sadr.	1
Jagraon .	The Jagraon tahsil of the Ludhiana district.	1
Ferozepore North	The Zira and Ferozepore (excluding Nathana sub-tahsil) tahsils and the police station areas of Jalalabad and Guru Har Sahai of the Ferozepore district.	1
Ferozepore East .	The police station areas of Mega, Mehna and Nihal Singhwala of the Ferozepore district.	1
Ferozepore West .	The Fazilka tahsil and the police station area of Kot Bhai of the Ferozepore district.	1
Ferozepore South	The Nathana sub-tahsil and the police station areas of Bagha Purana and Muktsar of the Ferozepore district.	1
Amritsar North .	The police station areas of Ajnala, Ramdas, Lopoke, Gharinda and Jhabal and the zails of Bagga and Sainera in the police station area of Majitha in the Ajnala tahsil of the Amritsar district.	1
Amritsar Central	The police station areas of Amritsar Sadr, Kathunangal and Jandiala and the zails of Mohla and Sheron Bagha in the police station areas of Beas and the zails of Johal and Sohian in the police station areas of Majitha in the Amritsar tahsil of the Amritsar district.	1

Name of Constituency	Extent of Constituency	No. of Seats
Amritsar South	The police station areas of Tarn Taran, Sarhali and Wairowal and the zails of China Bath and Butala in the police station area of Beas of the Amritsar district.	1

IV.—WOMEN'S CONSTITUENCY.

Name of Constituency	Extent of Constituency	No. of Seats
<i>Sikh</i>		
Amritsar	The whole of the Amritsar district	1

V.—COMMERCE AND INDUSTRY CONSTITUENCY.

Name of Constituency	Extent of Constituency	No. of Seats
East Punjab Commerce and Industry.	The Northern India Chamber of Commerce, the Punjab Chamber of Commerce, the Indian Chamber of Commerce and the Punjab Trades Association.	1

VI.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
Ambala Division Landholders.	The Ambala division	1
Jullundur Division cum Amritsar District Landholders.	The Jullundur division and Amritsar district.	1

VII.—LABOUR CONSTITUENCIES

Name of Constituency	Extent of Constituency	No. of Seats
Trade Union	(i) <i>Trade Union Labour</i> Registered Railway Trade Unions Operating in the Province.	1
East Punjab	(ii) <i>Non-Union Labour</i> The Jullundur and Amritsar districts.	1

VIII.—UNIVERSITY CONSTITUENCY

Name of Constituency	Extent of Constituency	No. of Seats
University	Non-territorial	1

Schedule	Adaptations
Seventh Schedule	Omit Part V.
Eighth Schedule	Omit Part V.
Ninth Schedule	For this Schedule substitute :—

“NINTH SCHEDULE.

ASSAM CONSTITUENCIES.

I.—GENERAL CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats	Scheduled Castes Seats
Dhubri (Central).	Bilasipara and Gossaingaon thanas.	1	..
Dhubri (South).	Dhubri, Golakganj, South Salmara and Mankachar thanas <i>plus</i> the following three plains mauzas in the Garo Hills district, <i>viz.</i> , Mahendraganj, Rangapani and Fulbari.	1	..

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Name of Constituency	Extent of Constituency	No. of Seats	Scheduled Castes Seats
Dhubri (North).	Bijni and Kokrajhar thanas .	1	..
Goalpara (North- West).	Lakhipur and North Salmara thanas.	1	..
Goalpara (South- East).	Goalpara and Dudnai thanas .	1	..
Barpeta (South).	Barpeta and Tarabari thanas .	1	..
Barpeta (North).	Sorbhog and Patacharkuchi thanas	1	..
Nalbari .	Nalbari thana	1	..
Kamrup Sadr (North).	Rangia and Barama thanas .	1	..
Kamrup Sadr. (Central).	Kamalpur and Hajo thanas .	1	..
Kamrup Sadr. (South).	Gauhati, Palasbari, Chhaygaon and Boko thanas.	3	1
Mangaldai (South).	Mangaldai and Dalgaon thanas .	1	..
Mangaldai (North).	Kalaigaon, Paneri, Udalguri and Majbat thanas.	1	..
Tezpur (West).	Tezpur and Dhekiajuli thanas .	1	..
Tezpur (East).	Sootea, Behali and Gohpur thanas	1	..
Nowgong (West).	Lahorighat, Dhing and Marigaon thanas (excluding all areas in the Mikir Hills) <i>plus</i> Juria mauza from Rupahi Hat thana.	1	..
Nowgong (South- East).	Raha and Jamunamukh thanas (excluding all areas in the Mikir Hills) <i>plus</i> the Lumding Kheraj Block.	1	..
Nowgong (North- East)	Nowgong, Kaliabor and Samaguri thanas (excluding all areas in the Mikir Hills) <i>plus</i> Rupahi Hat thana less Juria mauza.	2	1

Name of Constituency	Extent of Constituency	No. of Seats	Scheduled Castes Seats
Golaghat (North).	Dergaon and Bokakhat thanas (excluding all areas in the Mikir Hills) <i>plus</i> Mahura and Khumtai mauzas from Golaghat thana.	1	—
Golaghat (South).	Golaghat thana (excluding all areas in the Mikir Hills except Barpathar and Sarupathar mauzas) <i>less</i> Mahura and Khumtai mauzas.	1	—
Jorhat (South).	Titabar and Teok thanas . . .	1	—
Jorhat (North).	Jorhat and Majuli thanas . . .	2	1
Sibsagar (West).	Sibsagar and Amguri thanas excluding the portion of Dopdar Mauza in Amguri thana.	1	—
Sibsagar (East).	Nazira and Sonari thanas <i>plus</i> the portion of Dopdar Mauza in Amguri thana.	1	—
Dibrugarh (Central).	Tinsukia, Bardubi and Jaipur thanas.	1	—
Dibrugarh (West).	Dibrugarh, Moran and Dhemaji thanas.	1	—
Dibrugarh (East).	Doom Dooma, Digboi and Margherita thanas (excluding the Lakhimpur Frontier Tract).	1	—
North Lakhimpur.	The whole of North Lakhimpur sub-division.	1	—
Hailakandi	The whole of Hailakandi sub-division.	1	—
Silchar .	The whole of Silchar sub-division	2	1

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
Dhubri (West) .	Dhubri and Golakganj thanas . . .	1
Dhubri (South) .	South Salmara and Mankachar thanas <i>plus</i> the following three plains mauzas of the Garo Hills district, <i>viz.</i> , Mahendraganj, Rangapani and Fulbari.	1

Name of Constituency	Extent of Constituency	No. of Seats
Dhubri (North) .	Bilaspur, Kokrajhar, Gossaingaon and Bijni thanas.	1
Goalpara (West)	Lakhipur thana	1 ^g
Goalpara (East)	Goalpara, Dudnai and North Salmara thanas.	1
Barpeta . . .	Barpeta and Tarabari thanas	1
Kamrup (South)	Gauhati, Palasbari, Chhaygaon, Boko, Kamalpur and Hajo thanas.	1
Kamrup (North) .	Nalbari, Rangia and Barama thanas of the Kamrup Sadr sub-division and Sorbhog and Patacharkuchi thanas of the Barpeta sub-division.	1
Nowgong (West) .	Dhing, Jaborighat, Raha, Marigaon and Jamunamukh thanas (excluding all areas in the Mikir Hills) <i>plus</i> the Lumding Kheraj Block.	1
Nowgong (East) .	Nowgong, Samaguri, Rupahi Hat and Kaliabor thanas (excluding all areas within the Mikir Hills).	1
Darrang . . .	The whole of Darrang district	1
Sibsagar . . .	The whole of Sibsaagar district (excluding all areas in the Mikir Hills except Barpathar and Sarupathar mauzas).	1
Lakhimpur . .	The whole of Lakhimpur district (excluding the Lakhimpur Frontier Tract).	1
Hailakandi . .	The whole of Hailakandi sub-division . .	1
Silchar . . .	The whole of Silchar sub-division . . .	1

III.—WOMEN'S CONSTITUENCY.

Name of Constituency	Extent of Constituency	No. of Seats
Women's (Shillong).	Shillong Municipality and Cantonment .	1

V.—INDIAN CHRISTIAN CONSTITUENCY

Name of Constituency	Extent of Constituency	No. of Seats
Indian Christian .	The districts of Goalpara, Kamrup, Nowgong (excluding all areas in the Mikir Hills except the Lumding Kheraj Block), Darrang, Sibsagar (excluding all areas in the Mikir Hills except Barpathar and Sarupathar mauzas), Lakhimpur (excluding the Lakhimpur Frontier Tract), and Cachar (excluding the North Cachar Hills).	

VI.—BACKWARD TRIBAL (PLAINS) CONSTITUENCIES

Name of Constituency	Extent of Constituency	No. of Seats
Goalpara (Tribal).	Kokrajhar and Bijni thanas of Goalpara district.	1
Kamrup (Tribal).	Nalbari, Barama, Rangia, Patacharkuchi and Sorbhog thanas of Kamrup district.	1
Lakhimpur and Majuli (Tribal).	North Lakhimpur sub-division of the Lakhimpur district <i>plus</i> the Majuli thana of the Jorhat sub-division of the Sibsagar district <i>plus</i> the Dhemaji thana of the Dibrugarh sub-division of the Lakhimpur district.	1
Nowgong (Tribal)	Raha, Marigaon and Jamunamukh thanas excluding all areas in the Mikir Hills.	

VII.—BACKWARD AREAS (HILLS) CONSTITUENCIES

Name of Constituency	Extent of Constituency	No. of Seats
Garó Hills (North)	Mauzas, III, IV and V.	1
Garó Hills (South)	Mauzas, I, II, IX and X (Tura Town)	1

VII - BACKWARD AREAS (HILLS) CONSTITUENCIES—*contd.*

Name of Constituency	Extent of Constituency	No. of Seats
Shillong	The British territory of the Shillong sub-division <i>plus</i> the non-British areas in which the Municipality and Cantonment exercise jurisdiction.	1
Jowai	The whole of Jowai sub-division	1
Mikir Hills	The Mikir Hills (in Nowgong and Sibsagar districts) <i>less</i> Barpathar and Sarupathar mauzas in Golaghat sub-division and <i>less</i> the Lumding Kheraj Block in Nowgong district.	1

VIII.—PLANTING CONSTITUENCIES

Name of Constituency	Extent of Constituency	No. of Seats
European Planting.	The districts of Goalpara, Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur (excluding the Lakhimpur Frontier Tract) and Cachar (excluding the North Cachar Hills).	1
Indian Planting (Assam Valley).	The districts of Goalpara, Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur (excluding the Lakhimpur Frontier Tract) and Cachar (excluding the North Cachar Hills).	1

IX.—COMMERCE AND INDUSTRY CONSTITUENCIES

Name of Constituency	Extent of Constituency	No. of Seats
European Commerce and Industry.	The Province	1
Indian Commerce and Industry.	The Province	1

X.—LABOUR CONSTITUENCIES (TEA GARDENS)

Name of Constituency	Extent of Constituency	No. of Seats
I.—IN THE LAKHIMPUR DISTRICT		
<i>First election</i>		
Doom Dooma (District Lakhimpur).	All gardens within a radius of three and a half miles from Doom Dooma police station.	} 1
<i>Second election</i>		
Tinsukia (Dis- trict Lakhimpur).	All gardens within a radius of five miles from Tinsukia police station.	
<i>Third election</i>		
Dibrugarh (Dis- trict Lakhimpur).	All gardens within a radius of six miles from Dibrugarh police station.	} 1
II.—IN THE SIBSAGAR DISTRICT		
<i>First election .</i>		
Jorhat (Sibsagar District).	All gardens in Jorhat thana within the area included in the following boundaries :— North—Assam Trunk Road ; West—Jorhat Provincial Railway, Titabar Branch ; East—Thana boundary ; South—Thana boundary.	
<i>Second election</i>		} 1
Nazira (Sibsagar District).	All gardens within Nazira thana which are within a radius of seven miles from Simalguri railway station.	
<i>Third election</i>		
Golaghat (Sibsagar District).	All gardens within the mauzas of Dergaon, Gurjogonia, Kakodonga, Dakhinhengra, Kacharihat, Athgaon and Ghiladhari.	

X.—LABOUR CONSTITUENCIES (TEA GARDENS—*contd*)

Name of Constituency	Extent of Constituency	No. of Seats
III.—IN THE DARRANG DISTRICT		
<i>First election</i>		
Thakurbari (Darrang District).	All gardens within a radius of three and a half miles from Thakurbari railway station.	} 1"
<i>Second election</i>		
Biswanath (Darrang District).	All gardens within a radius of six miles from Pabhoi inspection bungalow.	
<i>Third election</i>		
Paneri (Darrang District).	All gardens within a radius of ven miles from Paneri club house.	

Tenth Schedule—Omit.

Twelfth Schedule—Omit.

II.—THE GOVERNMENT OF INDIA (PROVINCIAL LEGISLATIVE COUNCILS)
ORDER, 1936

Part	Para- graph	Adaptations
I	3	In sub-paragraph (3), for the second sentence substitute "in the case of the United Provinces and Bihar, one seat shall be filled by an election in each constituency".

II—THE GOVERNMENT OF INDIA (PROVINCIAL LEGISLATIVE COUNCILS)
ORDER, 1936—*contd.*

Part	Para- graph	Adaptations
	6	For "a Federated State" substitute "an acceding State".
	8	Omit "a European constituency" and "a European".
	18	Omit the proviso.
	23	Omit.
II	2	For "British India" substitute "India".
III	2	In sub-paragraph (1), omit clause (b). For "British India" substitute "India".
IV		Omit.
V	2	For "British India" substitute "India".
VI	2	For "British India" substitute "India".
VII		Omit.

Schedule	Part	Adaptations
The Schedule	I	Omit the heading "III—European Constitu- ency" and the entries thereunder.
	II	Ditto.
	III	Omit.
	IV	Omit the heading "III—European Constitu- ency" and the entries thereunder.
	V	Ditto.
	VI	Omit.

III.—THE GOVERNMENT OF INDIA (SCHEDULED CASTES) ORDER, 1936.

In paragraphs 3 and 4 for “ Bengal ” substitute “ West Bengal ”.

In Part III of the Schedule, for “ Bengal ” substitute “ West Bengal ”.

In Part V of the Schedule for “ Punjab ” substitute “ East Punjab ”.

IV.—THE GOVERNMENT OF INDIA (PROVINCIAL ELECTIONS) (CORRUPT PRACTICES AND ELECTION PETITIONS) ORDER, 1936.

In Part I omit sub-paragraph (5) of paragraph 3.

In Part II omit the proviso to paragraph (6).

MOUNTBATTEN OF BURMA,
Governor-General.

K. V. K. SUNDARAM,
Officer on Special Duty.

**SECRETARIAT OF THE GOVERNOR-GENERAL
(REFORMS).**

NOTIFICATION

New Delhi, the 14th August, 1947

No. G. G. O. 16.—The following Order made by the Governor-General is published for general information :—

**THE INDIA (ADAPTATION OF EXISTING INDIAN LAWS)
ORDER, 1947.**

WHEREAS sub-section (3) of section 18 of the Indian Independence Act, 1947 (hereafter in the recitals to this Order referred to as "the said Act") provides that save as otherwise expressly provided in the said Act, the law of British India and of the several parts thereof existing immediately before the appointed day shall, so far as applicable and with the necessary adaptations, continue as the law of each of the new Dominions and the several parts thereof, until other provision is made by laws of the Legislature of the Dominion in question or by any other Legislature or other authority having power in that behalf ;

AND WHEREAS sub-section (1) of section 9 of the said Act provides that the Governor-General shall by order make such provision as appears to him to be necessary or expedient for bringing the provisions of the said Act into effective operation and for removing difficulties arising in connection with the transition to the provisions of the said Act ;

NOW THEREFORE in exercise of the powers conferred by the said Act, the Governor-General is pleased to make the following Order :—

1. (1) This Order may be cited as the India (Adaptation of Existing Indian Laws) Order, 1947.

(2) It shall come into force on the fifteenth day of August, 1947.

2. (1) In this Order—

“appointed day” means the fifteenth day of August, 1947

“existing Indian law” means any Act, Ordinance, Regulation, rule, order or bye-law which immediately before the appointed day has the force of law in the whole or any part of the territories which as from that day form the territories of the Dominion of India, but does not include any Act of Parliament, or any Order in Council, rule or other instrument made under an Act of Parliament, or the General Clauses Act, 1897.

(2) The General Clauses Act, 1897, applies for the interpretation of this Order as it applies for the interpretation of a Central Act.

3. As from the appointed day, all existing Indian laws shall, until repealed or altered or amended by a competent Legislature or other competent authority, in their application to the Dominion of India and any part or parts thereof, be subject to the adaptations directed in this Order.

4. (1) Where an existing Indian law contains a provision defining the territories to which the law extends, or a provision referring to the territories which are within the scope of that provision, that provision shall be so adapted as to exclude any territories which on the appointed day are not to form part of the territories of the Dominion of India.

(2) Without prejudice to the general effect of the preceding paragraph, references in any existing Indian law to “the whole of British India” (or “British India”), to “Bengal” and to “the Punjab” shall, except where the reference occurs in a title or preamble or any citation or description of an Act, Ordinance or Regulation and except where the context otherwise requires, be replaced by references to “all the Provinces of India”, to “West Bengal” and to “East Punjab”, respectively.

5. Any reference in an existing Indian law to a High Court which as from the appointed day ceases to be a High Court for any part of the Dominion of India shall—

(a) if the reference be to the High Court of Judicature at Lahore, be replaced by a reference to the High Court of East Punjab, and

(b) in any other case, be omitted.

6. Any words in an existing Indian law signifying that the Governor-General or Governor is to act in his discretion or to exercise his individual judgment shall be omitted.

7. Any reference in an existing Indian law to the exercise of the functions of the Crown in its relation with Indian States (including any provision the operation of which depends on the exercise of such functions) shall be omitted, and references in any such law to the Crown Representative shall be omitted or construed as references to the Central Government as the context may require.

8. Any reference in an existing Indian law to the Indian Legislature or to a Chamber or the Chambers thereof shall be construed as a reference to the Central Legislature.

9. (1) Any tribunal, authority, officer or official body constituted or appointed before the commencement of this Order under an existing Indian law for, or with jurisdiction over, the whole of India or the whole of British India shall, as from the appointed day, be deemed to have been constituted or appointed for, or with jurisdiction over, the whole of the Dominion of India, and any reference in an existing Indian law to any such tribunal, authority, office or official body as aforesaid shall be construed accordingly.

(2) Any reference in an existing Indian law to a tribunal, authority, officer or official body whose jurisdiction or authority immediately before the appointed day extends -

- (a) to the whole of the Province of Bengal or over parts of that Province which on the said day fall partly within the Province of East Bengal and partly within the Province of West Bengal, or
- (b) to the whole of the Province of the Punjab or over parts of that Province which on the said day fall partly within the Province of East Punjab and partly within the Province of West Punjab, or
- (c) to the whole of the Province of Assam or over parts of that Province which on the said day fall partly within the Province of Assam and partly within the Province of East Bengal,

shall be construed as references to such tribunal, authority, officer or official body as the appropriate Government may by notification in the official Gazette constitute or appoint in that behalf, and any such direction may be given so as to have effect from the appointed day:

Provided that nothing in this paragraph shall apply to any tribunal, authority, officer or official body to which or to whom the provisions of paragraph (1) of this Article apply.

(3) For the purpose of sub-paragraph (2) the expression "appropriate Government" means, as respects a law relating to a matter enumerated in List I of the Seventh Schedule to the

Government of India Act, 1935, the Central Government, and as respects any other law, the Provincial Government of West Bengal, East Punjab or Assam, as the case may be.

10. Any court, tribunal or authority required or empowered to enforce an existing Indian law shall, notwithstanding that this Order makes no provision or insufficient provision for the adaptation of the law for the purpose of rendering it consistent with the provisions of the Indian Independence Act, 1947, and of the Government of India Act, 1935, as applicable to the Dominion of India, construe the law with all such adaptations as are necessary for the said purpose :

Provided that if any question arises regarding the adaptations with which such law should be construed for the said purpose, the question shall be referred to the Central Government if the law relates to a matter enumerated in List I or List III in the Seventh Schedule to the Government of India Act, 1935, and to the Provincial Government in any other case, and the decision of that Government on any such reference shall be final.

11. The General Clauses Act, 1897, shall in its application to the Dominion of India, until repealed or altered or amended by the Central Legislature, be subject to the adaptations specified in the Schedule to this Order.

12. The provisions of this Order shall not render invalid anything duly done before the appointed day under an existing Indian law, and anything so done for British India or for parts thereof including territories thereafter included in the Dominion of India shall, as from the appointed day and until altered, varied or undone, have effect as if it had been done after the appointed day for the whole of the Dominion of India or as the case may be, for such territories thereof as aforesaid, by a competent authority and under and in accordance with the provisions then applicable to the case.

13. If by order under section 9 of the Indian Independence Act, 1947, provision is made for authorising the continued carrying on for the time being on behalf of the new Dominions or on behalf of any two or more of the Provinces therein referred to as the said new Provinces of services or activities previously carried on under the authority of an existing Indian law on behalf of British India as a whole or on behalf of the former Provinces which those new Provinces represent, then, notwithstanding anything herein contained, such law shall, as from the appointed day, or where the order under the said section 9 is made after the appointed day, as from the date of the making of the order, have effect in its application to the Dominion of India according to the tenor of that order.

 THE SCHEDULE.

(See Article 11)

Adaptations of the General Clauses Act, 1897 in its application to the Dominion of India.

Section 3.—In clause (7), after “any period after that date” insert “and before the date of the establishment of the Dominion of India”.

In clause (8aa), omit “or section 44 of the Government of India Act, 1935”.

For clause (8ab) substitute :—

“(8ab) “Central Government” shall—

(a) in relation to anything done before the commencement of Part III of the Government of India Act, 1935, mean the Governor-General in Council or the authority competent at the relevant date to exercise the functions corresponding to those subsequently exercised by the Governor-General ;

(b) in relation to anything done after the commencement of Part III of the said Act, but before the establishment of the Dominion of India, mean, as respects matters with respect to which the Governor-General was by or under the provisions of the said Act then in force required to act in his discretion, the Governor General, and as respects other matters, the Governor-General in Council ; and

(c) in relation to anything done or to be done after the establishment of the Dominion of India, mean the Governor-General ; and shall include—

(i) in relation to functions entrusted under sub-section (1) of section 124 of the said Act to the Government of a Province, the Provincial Government acting within the scope of the authority given to it under that sub-section ; and

(ii) in relation to the administration of a Chief Commissioner's Province, the Chief Commissioner acting within the scope of the authority given to him under sub-section (3) of section 94 of the said Act :”

In clause (8ac), for “Federal” substitute “Dominion”.

In clause (9a) for “the Punjab” substitute “East Punjab”.

For clause (11), substitute :—

“(11) ‘Colony’—

(a) in any Central Act passed after the commencement of Part III of the Government of India Act, 1935, shall mean any part of His Majesty's dominions exclusive of the British Islands, the

Dominions of India and Pakistan (and before the establishment of those Dominions, British India), any Dominion as defined in the Statute of Westminster, 1931, any Province or State forming part of any of the said Dominions, and British Burma ; and

(b) in any Central Act passed before the commencement of Part III of the said Act, mean any part of His Majesty's dominions exclusive of the British Islands and of British India ; and in either case where parts of those dominions are under both a central and local legislature, all parts under the Central legislature shall, for the purposes of this definition, be deemed to be one colony.

In clause (14a), omit "contracts made by the Federal Railway Authority" and for "made in connection" substitute "made before the fifteenth day of August, 1947 in connection".

In clauses (14b), (14c) and (14d), omit "the Federal Railway Authority".

In clause (14e), for "the Federal Railway Authority or the Crown Representative" substitute "and with reference to a state of affairs existing after the commencement of Part III of the Government of India Act, 1935, and before the establishment of the Dominion of India, includes also property vested in His Majesty, or otherwise held, for the purposes of the Crown Representative".

After clause (16a) insert—

"(16b) 'East Punjab Act' shall mean an Act made by the Provincial Legislature of East Punjab under the Government of India Act, 1935 :"

Omit clauses (18a) and (18b).

In clause (24), for "part of British India" substitute "in a Province or part thereof".

For clause (27) substitute :—

"(27) 'India' shall mean—

(a) as respects any period before the establishment of the Dominion of India, British India together with all territories of any Indian ruler then under the suzerainty of His Majesty, all territories under the suzerainty of such an Indian ruler, and the tribal areas ; and

(b) as respects any period after the establishment of the Dominion of India, all territories for the time being included in that Dominion :".

For clause (27a) substitute :—

"(27a) 'Indian Law' shall mean any Act, Ordinance, Regulation, rule, order or bye-law which before the establishment of the Dominion of India had the force of law in British India or any part thereof, or thereafter has the force of law in India or any part thereof other than an Acceding State, but does not include any Act of Parliament or any Order-in-Council, rule or other instrument made under an Act of Parliament."

In clause (27b), omit "not being part of British India" and for "His Majesty" substitute "the Central Government".

Omit clause (40).

For clause (43a) substitute :—

"(43a) 'Provincial Government'

(a) as respects anything done or to be done after the establishment of the Dominion of India, shall mean in a Governor's Province, the Governor, and in a Chief Commissioner's Province, the Central Government ;

(b) as respects anything done before the establishment of the Dominion of India, but after the commencement of Part III of the Government of India Act, 1935, shall mean in a Governor's Province, the Governor acting or not acting in his discretion, and exercising or not exercising his individual judgment, according to the provision in that behalf made by and under the said Act, and in a Chief Commissioner's Province, the Central Government ; and

(c) as respects anything done before the commencement of Part III of the said Act, shall mean the authority or person authorised at the relevant date to administer executive government in the Province in question :".

In clause (45), for "British India" substitute "a Province".

After clause (56) insert :—

" 'West Bengal Act' shall mean an Act made by the Provincial Legislature of West Bengal under the Government of India Act, 1935".

Section 4-A—In sub-section (1), omit "Federal Government" "Federal Railway Authority".

Section 5.—In sub-section (2), omit "or under section 32 of the Government of India Act, 1935".

Omit section 5A.

Section 30.—Omit "or section 43".

MOUNTBATTEN OF BURMA,
Governor-General.

K. V. K. SUNDARAM,
Officer on Special Duty.

**SECRETARIAT OF THE GOVERNOR-GENERAL
(REFORMS).**

NOTIFICATION

New Delhi, the 14th August, 1947

No. G. G. O. 17.—The following Order made by the Governor-General is published for general information:—

**THE INDIAN INDEPENDENCE (INTERNATIONAL
ARRANGEMENTS) ORDER, 1947**

WHEREAS the agreement set out in the Schedule to this Order has been reached at a meeting of the Partition Council on the 6th day of August, 1947 ;

AND WHEREAS it is intended that, as from the 15th day of August, 1947, the said agreement shall have the force and effect of an agreement between the Dominions of India and Pakistan ;

NOW THEREFORE in exercise of the powers conferred upon him by section 9 of the Indian Independence Act, 1947 and of all other powers enabling him in that behalf, the Governor-General hereby orders as follows :—

1. This Order may be cited as the Indian Independence (International Arrangements) Order, 1947.

2. The agreement set out in the Schedule to this Order shall, as from the appointed day, have the effect of an agreement duly made between the Dominion of India and the Dominion of Pakistan.

SCHEDULE

**AGREEMENT AS TO THE DEVOLUTION OF INTERNATIONAL RIGHTS
AND OBLIGATIONS UPON THE DOMINIONS OF INDIA AND
PAKISTAN.**

1. The international rights and obligations to which India is entitled and subject immediately before the 15th day of August, 1947, will devolve in accordance with the provisions of this agreement.

2. (1) Membership of all international organisations together with the rights and obligations attaching to such membership, will devolve solely upon the Dominion of India.

For the purposes of this paragraph any rights or obligations arising under the Final Act of the United Nations Monetary and Financial Conference will be deemed to be rights or obligations attached to membership of the International Monetary Fund and to membership of the International Bank for Reconstruction and Development.

(2) The Dominion of Pakistan will take such steps as may be necessary to apply for membership of such international organisations as it chooses to join.

3. (1) Rights and obligations under international agreements having an exclusive territorial application to an area comprised in the Dominion of India will devolve upon that Dominion.

(2) Rights and obligations under international agreements having an exclusive territorial application to an area comprised in the Dominion of Pakistan will devolve upon that Dominion.

4. Subject to Articles 2 and 3 of this agreement, rights and obligations under all international agreements to which India is a party immediately before the appointed day will devolve both upon the Dominion of India and upon the Dominion of Pakistan, and will, if necessary, be apportioned between the two Dominions.

MOUNTBATTEN OF BURMA,
Governor-General.

K. V. K. SUNDARAM,
Officer on Special Duty.

**SECRETARIAT OF THE GOVERNOR-GENERAL
(REFORMS)****NOTIFICATION**

New Delhi, the 14th August, 1947

No. G. G. O. 18.—The following Order made by the Governor-General is published for general information:—

**THE INDIAN INDEPENDENCE (RIGHTS, PROPERTY
AND LIABILITIES) ORDER, 1947.**

In exercise of the powers conferred by section 9 of the Indian Independence Act, 1947, and of all other powers enabling him in that behalf, the Governor-General is pleased to make the following Order:—

1 (1) This Order may be cited as the Indian Independence (Rights, Property and Liabilities) Order, 1947.

(2) It shall come into force at once.

2 (1) In this Order,—

“appointed day” means the fifteenth day of August, 1947;

“Arbitral Tribunal” means the Arbitral Tribunal constituted in accordance with the Arbitral Tribunal Order, 1947;

“land” includes immovable property of every kind, and any rights in or over such property.

(2) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. (1) The provisions of this Order relate to the initial distribution of rights, property and liabilities consequential on the setting up of the Dominions of India and Pakistan, and shall have effect subject to any agreement between the two Dominions or the Provinces concerned and to any award that may be made by the Arbitral Tribunal.

(2) Nothing in this Order affects the powers of control over military plant, machinery, equipment and stores conferred on the Joint Defence Council by the Joint Defence Council Order, 1947.

(3) The powers of control over property conferred upon each of the Dominions by this Order shall include all the powers of use, consumption, management and disposition incidental to ownership; but each Dominion shall exercise the said powers with due regard to the interests of both Dominions, and shall carry out the terms of any agreement or award under which the property is to be transferred to the other Dominion.

4. All land which immediately before the appointed day is vested in His Majesty for the purposes of the Governor-General in Council shall on that day,—

- (a) in the case of land situated in India or in the tribal areas on the borders of India, be under the control of the Dominion of India;
- (b) in the case of land situated in Pakistan or in the tribal areas on the borders of Pakistan, be under the control of the Dominion of Pakistan;
- (c) in the case of land which immediately before the appointed day is used for the purposes of any official representative of the Government of India in any other part of His Majesty's dominions or in a foreign country, be under the control of the Dominion of India; and
- (d) in any other case, be under the joint control of the Dominions of India and Pakistan :

Provided that any land which, by virtue of the preceding provisions of this Article, is to be under the control of the two Dominions, and which is situated in an Indian State, shall, if within one month from the appointed day the State accedes to either of the two Dominions, be under the control of that Dominion as from the date on which the accession of the State becomes effective.

5. (1) All land which immediately before the appointed day is vested in His Majesty for the purposes of the Province of Bengal shall on that day—

- (a) in the case of land situated in the Province of East Bengal, vest in His Majesty for the purposes of that Province;
- (b) in the case of land situated in the Province of West Bengal, vest in His Majesty for the purposes of that Province; and
- (c) in any other case, vest in His Majesty for the joint purposes of those two Provinces.

(2) All land which immediately before the appointed day is vested in His Majesty for the purposes of the Province of the Punjab shall, on that day—

- (a) in the case of land situated in the Province of West Punjab, vest in His Majesty for the purposes of that Province;
- (b) in the case of land situated in the Province of East Punjab, vest in His Majesty for the purposes of that Province; and

(c) in any other case, vest in His Majesty for the joint purposes of those two Provinces.

(3) All land which immediately before the appointed day is vested in His Majesty for the purposes of the Province of Assam shall—

(a) in the case of land situated in that part of the Province which on that day becomes part of the Province of East Bengal, vest on that day in His Majesty for the purposes of the Province of East Bengal; and

(b) in any other case, continue to be vested in His Majesty for the purposes of the Province of Assam.

(4) All land which immediately before the appointed day is vested in His Majesty for the purposes of any Province other than Bengal, the Punjab or Assam shall continue to be vested in His Majesty for the purposes of that Province.

6. The Provisions of Articles 4 and 5 of this Order shall apply in relation to all goods, coins, bank notes and currency notes which immediately before the appointed day are vested in His Majesty for the purposes of the Governor-General in Council or of a Province as they apply in relation to land so vested.

7. (1) Subject to the provisions of this Order relating to certain contractual rights, this Article shall apply to all property, other than land, goods, coins, bank notes and currency notes, which immediately before the appointed day is vested in His Majesty for the purposes of the Governor-General in Council or of a Province.

(2) All such property shall on the appointed day vest in His Majesty for the joint purposes of the two Dominions, for the joint purposes of the Provinces of East Bengal and West Bengal, or for the joint purposes of the Provinces of East Punjab and West Punjab, or shall, as from that day, continue to be vested in His Majesty for the purposes of the Province, according as the purposes for which the property is held immediately before the appointed day are—

(a) purposes of the Governor-General in Council,

(b) purposes of the Province of Bengal,

(c) purposes of the Province of the Punjab, or

(d) purposes of a Province other than Bengal or the Punjab.

8. (1) Any contract made on behalf of the Governor-General in Council before the appointed day shall, as from that day,—

(a) if the contract is for purposes which as from that day are exclusively purposes of the Dominion of Pakistan, be deemed to have been made on behalf of the Dominion of Pakistan instead of the Governor-General in Council; and

- (b) in any other case, be deemed to have been made on behalf of the Dominion of India instead of the Governor-General in Council;

and all rights and liabilities which have accrued or may accrue under any such contract shall, to the extent to which they would have been rights or liabilities of the Governor-General in Council, be rights or liabilities of the Dominion of Pakistan or the Dominion of India, as the case may be.

(2) Any contract made on behalf of the Province of Bengal before the appointed day shall, as from that day,—

- (a) if the contract is for purposes which as from that day are exclusively purposes of the Province of West Bengal, be deemed to have been made on behalf of that Province instead of the Province of Bengal; and
(b) in any other case be deemed to have been made on behalf of the Province of East Bengal instead of the Province of Bengal;

and all rights and liabilities which have accrued or may accrue under any such contract shall, to the extent to which they would have been rights or liabilities of the Province of Bengal, be rights or liabilities of the Province of West Bengal or the Province of East Bengal, as the case may be.

(3) Any contract made on behalf of the Province of the Punjab before the appointed day shall, as from that day,—

- (a) if the contract is for purposes which as from that day are exclusively purposes of the Province of East Punjab, be deemed to have been made on behalf of that Province instead of the Province of the Punjab; and
(b) in any other case be deemed to have been made on behalf of the Province of West Punjab instead of the Province of the Punjab;

and all rights and liabilities which have accrued or may accrue under any such contract shall, to the extent to which they would have been rights or liabilities of the Province of the Punjab, be rights or liabilities of the Province of East Punjab or the Province of West Punjab, as the case may be.

(4) Any contract made before the appointed day on behalf of the Province of Assam, being a contract for purposes which, as from that day, are exclusively purposes of the Province of East Bengal, shall, as from that day, be deemed to have been made on behalf of the Province of East Bengal instead of the Province of Assam, and all rights and liabilities which have

accrued or may accrue under the contract shall, to the extent to which they would have been rights or liabilities of the Province of Assam, be rights or liabilities of the Province of East Bengal.

(5) For the purposes of this Article there shall be deemed to be included in the liabilities which have accrued or may accrue under any contract,—

(a) any liability to satisfy an order or award made by any court or other tribunal in proceedings relating to the contract; and

(b) any liability in respect of expenses incurred in or in connection with any such proceedings.

(6) The provisions of this Article shall have effect subject to the provisions of Article 9 of this Order; and bank balances and securities shall, notwithstanding that they partake of the nature of contractual rights, be dealt with as property to which Article 7 of this Order applies.

9. All liabilities in respect of such loans, guarantees and other financial obligations of the Governor-General in Council or of a Province as are outstanding immediately before the appointed day shall, as from that day,—

(a) in the case of liabilities of the Governor-General in Council, be liabilities of the Dominion of India;

(b) in the case of liabilities of the Province of Bengal, be liabilities of the Province of East Bengal;

(c) in the case of liabilities of the Province of the Punjab, be liabilities of the Province of West Punjab; and

(d) in the case of liabilities of any Province other than Bengal, or the Punjab, continue to be liabilities of that Province

10. (1) Where immediately before the appointed day the Governor-General in Council is subject to any liability in respect of an actionable wrong other than breach of contract, that liability shall,—

(a) where the cause of action arose wholly within the territories which, as from that day, are the territories of the Dominion of India, be a liability of that Dominion;

(b) where the cause of action arose wholly within the territories which, as from that day, are the territories of the Dominion of Pakistan, be a liability of that Dominion; and

(c) in any other case, be a joint liability of the Dominions of India and Pakistan.

(2) Where immediately before the appointed day the Province of Bengal is subject to any such liability as aforesaid, that liability shall,

- (a) where the cause of action arose wholly within the territories which, as from that day, are the territories of the Province of East Bengal, be a liability of that Province;
 - (b) where the cause of action arose wholly within the territories which, as from that day, are the territories of the Province of West Bengal, be a liability of that Province; and
 - (c) in any other case, be a joint liability of the Provinces of East and West Bengal.
- (3) Where immediately before the appointed day the Province of the Punjab is subject to any such liability as aforesaid, that liability shall,—
- (a) where the cause of action arose wholly within the territories which, as from that day, are the territories of the Province of West Punjab, be a liability of that Province;
 - (b) where the cause of action arose wholly within the territories which, as from that day, are the territories of the Province of East Punjab, be a liability of that Province; and
 - (c) in any other case, be a joint liability of the Provinces of East and West Punjab.
- (4) Where immediately before the appointed day the Province of Assam is subject to any such liability as aforesaid, then, if the cause of action arose wholly within the territories which, as from that day, are the territories of East Bengal, the liability shall, as from that day, be a liability of the Province of East Bengal.
11. (1) Nothing in the preceding provisions of this Order affects the liability of either Dominion or of any Province in respect of the payment of any pension.
- (2) Where before the appointed day the Governor-General in Council or any Province is subject to any liability in respect of any pension, that liability shall, as from the appointed day,—
- (a) in the case of a liability of the Governor-General in Council, be a liability of the Dominion of India;
 - (b) in the case of a liability of the Province of Bengal, be a liability of the Province of East Bengal;
 - (c) in the case of a liability of the Province of the Punjab, be a liability of the Province of West Punjab; and
 - (d) in the case of a liability of any Province other than Bengal or the Punjab, continue to be a liability of that Province.

12. (1) Where immediately before the appointed day the Governor-General in Council is a party to any legal proceedings with respect to any property, rights or liabilities transferred by this Order, the Dominion which succeeds to the property, rights or liabilities in accordance with the provisions of this Order shall be deemed to be substituted for the Governor-General in Council as a party to those proceedings, and the proceedings may continue accordingly.

(2) Where any Province from which property, rights or liabilities are transferred by this Order is, immediately before the transfer, a party to legal proceedings with respect to that property or those rights or liabilities, the Province which succeeds to the property, rights or liabilities in accordance with the provisions of this Order shall be deemed to be substituted for the other Province as a party to those proceedings, and the proceedings may continue accordingly.

(3) Any proceedings which, immediately before the appointed day, are pending by or against the Secretary of State elsewhere than in the United Kingdom in respect of any liability of the Governor-General in Council or a Province shall,—

(a) in the case of proceedings in respect of a liability of the Governor-General in Council be continued by or against the Dominion which succeeds to the liability;

(b) in the case of proceedings in respect of a liability of the Province of Bengal, the Province of the Punjab, or the Province of Assam, be continued by or against the Province which succeeds to the liability; or

(c) in the case of proceedings in respect of a liability of any other Province, be continued by or against that Province.

13. (1) Where by virtue of the preceding provisions of this Order either of the Dominions or any Province becomes entitled to any property or obtains any other benefits, and it is just and equitable that that property or those benefits should be transferred or shared with the other Dominion, or with any other Province, as the case may be, the said property or benefits shall be allocated in such manner as, in default of agreement, may be determined by the Arbitral Tribunal.

(2) Where by virtue of the preceding provisions of this Order either of the Dominions or any Province becomes subject to any liability, and it is just and equitable that a contribution towards that liability should be made by the other Dominion, or by another Province, as the case may be, the other Dominion or Province shall

make to the Dominion or Province primarily subject to the liability such contribution in respect thereof as, in default of an agreement, may be determined by the Arbitral Tribunal.

(3) In determining what is just and equitable for the purposes of this Article the parties concerned and the Arbitral Tribunal shall be guided by the principles laid down in any relevant decision of any of the bodies referred to in paragraph (2) of Article 4 of the Arbitral Tribunal Order, 1947

MOUNTBATTEN OF BURMA,
Governor-General.

K. V. K. SUNDARAM,
Officer on Special Duty.

**SECRETARIAT OF THE GOVERNOR-GENERAL
(REFORMS).**

NOTIFICATION

New Delhi, the 14th August, 1947

No. G. G. O. 19.—The following Order made by the Governor-General is published for general information :—

**THE PAKISTAN (PROVINCIAL LEGISLATURES)
ORDER, 1947**

In exercise of the powers conferred by section 9 of the Indian Independence Act, 1947, and of all other powers enabling him in that behalf, the Governor-General is pleased to make the following Order :—

1. (1) This Order may be cited as the Pakistan (Provincial Legislatures) Order, 1947.

(2) It shall come into force at once.

2. (1) In this Order—

“appointed day” means the fifteenth day of August, 1947;

“sitting member”, in relation to a Provincial Legislative Assembly, means a person who at the commencement of this Order is a member of that Assembly;

“West Punjab constituency” means a constituency specified in the Sixth Schedule to the Government of India (Provincial Legislative Assemblies) Order, 1936, as adapted by Article 3 of this Order;

“Punjab constituency” means a constituency specified in the Sixth Schedule to the Government of India (Provincial Legislative Assemblies) Order, 1936, as in force at the commencement of this Order;

“East Bengal constituency” means a constituency specified in the Fourth Schedule to the Government of India (Provincial Legislative Assemblies) Order, 1936, as adapted by Article 3 of this Order.

(2) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. (1) As from the appointed day, the Government of India (Provincial Legislative Assemblies) Order, 1936, the Government of India (Scheduled Castes) Order, 1936, and the Government of India (Provincial Elections) (Corrupt Practices and Election Petitions) Order, 1936, shall until other provision is made by or in accordance with a law made by the Constituent Assembly of Pakistan, or, in relation to any Provincial Legislature, by or in accordance with an Act of that Legislature, apply to the Dominion of Pakistan—

(a) with the omission of the expression “exercising his individual judgment” and the expression “in his discretion” wherever they occur in the said Orders; and

(b) with the omissions, additions, adaptations, and modifications directed in the Schedule to this Order.

(2) As from the appointed day, the Government of India (Provincial Legislative Councils) Order, 1936, shall cease to apply to the Dominion of Pakistan.

4. (1) As from the appointed day, every sitting member of the Bengal Legislative Assembly or of the Assam Legislative Assembly representing a constituency which immediately before that day bears the same name as an East Bengal constituency shall, notwithstanding any alteration in the extent of that constituency, be deemed to have been elected by that constituency to the Legislative Assembly of East Bengal.

(2) As from the appointed day, the sitting member of the Bengal Legislative Assembly representing the Dacca University constituency shall be deemed to have been elected by the University constituency to the Legislative Assembly of East Bengal.

(3) As from the appointed day, the sitting member of the Assam Legislative Assembly representing the Indian Planting (Surma Valley) constituency shall be deemed to have been elected by the East Bengal Planting constituency to the Legislative Assembly of East Bengal.

(4) Unless the person, who under the provisions of paragraph (1) of this Article is deemed to have been elected by the Railway Trade Union constituency or the Water Transport Trade Union constituency, previously resigns his seat in the Legislative Assembly of West Bengal, he shall cease to be a member of the Legislative Assembly of East Bengal on the first day of September 1947, and his seat in that Assembly shall become vacant on that day.

5. (1) As from the appointed day, every sitting member of the Punjab Legislative Assembly representing a constituency which immediately before that day bears the same name as a West Punjab Constituency shall, notwithstanding any alteration in the extent of that constituency, be deemed to have been elected by that constituency to the Legislative Assembly of West Punjab.

(2) The sitting members of the Punjab Legislative Assembly representing the Punjab constituencies specified in the first column of the following table shall as from the appointed day be deemed to have been elected by the West Punjab constituency specified in the corresponding entry in the second column of the table.

TABLE.

<i>The Punjab constituency</i>	<i>West Punjab constituency</i>
Punjab Commerce and Industry.	West Punjab Commerce and Industry.
North Punjab Landholders	Rawalpindi Division Landholders
West Punjab Landholders	Multan Division Landholders.

(3) The sitting member of the Punjab Legislative Assembly representing the general rural constituency of Amritsar and Sialkot and filling the seat reserved for members of the scheduled castes shall as from the appointed day be

deemed to have been elected by the general rural constituency of West Lahore Division to the Legislative Assembly of West Punjab and to fill the seat reserved for members of the scheduled castes in that constituency.

(4) Elections shall be held as soon after the appointed day as may be practicable to choose the member of the Legislative Assembly of West Punjab representing the Lahore Division landholders.

(5) Unless the person, who under the preceding provisions of this Article is deemed to have been elected by the West Punjab Commerce and Industry constituency or the Railway Trade Union constituency or the University constituency, previously resigns his seat in the Legislative Assembly of East Punjab, he shall cease to be a member of the Legislative Assembly of West Punjab on the first day of September 1947, and his seat in that Assembly shall become vacant on that day.

6. The sitting members of the Legislative Assembly of Sind representing the European constituencies shall on the appointed day cease to be members of the said Assembly.

THE SCHEDULE

*I. The Government of India (Provincial Legislative Assemblies)
Order, 1936.*

Part	Paragraph	Adaptations
I	10	For "Bengal" substitute "East Bengal" and for "the Punjab" substitute "West Punjab"
	13	Omit "Indian".
	14	For "Bengal" substitute "East Bengal".
	11	In sub-paragraph (1), omit "or a seat reserved for a Maratha, a representative of backward tribes or areas, or, in the case of Bengal Anglo-Indian constituency, a woman"
	21	In sub-paragraph (2) for "India" substitute "Pakistan".
	26	Omit.
II		Omit.
III		Omit.
IV	Title	For "Bengal" substitute "East Bengal".
	1	In sub-paragraph (1) for "Parts I to VI" substitute "Parts I to IV". In sub-paragraph (4) for "All the Anglo-Indian European and Indian Christian constituencies" substitute "The Indian Christian Constituency". Omit the words from "and, for the purpose of paragraph 8" to "Calcutta constituencies".
	4 to 6	Omit.

Part	Paragraph	Adaptations
8 to 12	For the heading above paragraph 8 and for paragraphs 8 to 12, substitute :—	
		<p><i>“Planting Seat.</i></p> <p>“8 (1). The seat to be filled by a representative of the interests of planting shall be filled by election in the constituency specified in the first column of the table in Part VI of the Fourth Schedule to this Order and the extent of the constituency shall be as specified in the second column of that table.</p> <p>9. (1) Subject to the provisions of this Order, a person shall be qualified to be included in the electoral roll for the said constituency if he is a superintendent or manager of, or an engineer or medical officer employed on, any tea estate in the constituency in question.</p> <p>(2) Notwithstanding anything in the last foregoing sub-paragraph, but subject to the other provisions of this Order, where a tea estate is owned otherwise than by a corporation, the proprietor of the estate, or where there are several co-proprietors, a co-proprietor nominated in that behalf by co-proprietors owning more than half the proprietary interests in the estate, shall be entitled, on making application within the prescribed time and in the prescribed manner, to be included in the electoral roll for the planting constituency in lieu of the superintendent or manager of the estate :</p> <p>Provided that no proprietor or co-proprietor shall so be included in an electoral roll, unless he has a place of residence in the Province.</p> <p>(3) The estates with less than seventy-five acres of tea under actual cultivation shall be left out of account for the purposes of this paragraph, and references therein to tea estates shall be construed accordingly.</p>

Part	Paragraph	Adaptations
		10 A person shall not be qualified to be chosen to fill the planting seat unless he is included in the electoral roll for the constituency."
13	For "Part VIII" substitute "Part VI".	
15	In sub-paragraph (1), for "Burdwan and Presidency divisions" substitute "Jessore, Nadia, and Murshidabad districts" and for "Dacca, Rajshahi and Chittagong divisions" substitute "Dacca division and that portion of the former Rajshahi and Chittagong divisions which is within the Province of East Bengal". In sub-paragraph (3), omit clause (a)	
17	In sub-paragraph (1), for "Part IX" substitute "Part VII".	
	In sub-paragraph (3) for "Of those constituencies the constituencies mentioned in the first of the said tables" substitute "the constituencies mentioned in the said tables"	
	Omit sub-paragraph (4).	
18	In sub-paragraph (1), omit "Calcutta or".	
19	In sub-paragraph (1), for "a trade union factory or colliery labour constituency" substitute "a railway trade union constituency", and omit the proviso.	
	Omit sub-paragraphs (6) and (7).	
20	In sub-paragraph (1), omit "factory and colliery "	
22	Omit "factory or colliery".	
23	In sub-paragraph (1), for "Part IX" read "Part VII"	
24	For sub-paragraph (1) substitute "(1) At the first and every second subsequent general election, the seat shall be filled in the Srimangal constituency and at the second and every second subsequent general election the seat shall be filled in the Lungai Valley constituency".	

Part	Paragraph	Adaptations
	27	<p>For sub-paragraph (1), substitute :—</p> <p>“(1) The seat to be filled by a representative of University shall be filled by election in a constituency to be called the University Constituency”.</p> <p>In sub-paragraph (2), for “ a University Constituency”, substitute “the University Constituency”.</p> <p>For “India” substitute “Pakistan”.</p> <p>For clause (a) substitute “(a) is a member of the Court of the Dacca University ; or”.</p> <p>In clause (b), for “of the University”, substitute “of the Dacca University or of the Calcutta University ; and omit the proviso-</p>
V		Omit.
VI	Title	<p>For “Punjab” substitute “West Punjab”</p> <p>After sub-paragraph (3), insert :—</p> <p>“(4) The definitions in Parts I and II of the Sixth Schedule to this Order of the extent of a rural constituency by a reference to a division or district or a part of district shall not have effect of including in that district any part which is included in an urban constituency of the same communal description.”</p>
4		Omit.

Part	Paragraph	Adaptation
	14	In sub-paragraph (4) for the words from the beginning to "each such constituency" substitute "The remaining constituency shall be a non-union labour constituency and the electoral roll for that constituency".
	18	In sub-paragraph (2) for "India" substitute "Pakistan".
VII		Omit
VIII		Omit.
IX		Omit.
XI		Omit.
XII	1	In sub-paragraph (1) for "Parts I to IV" substitute "Parts I to III".
	5	Omit.

Schedule	Adaptation
II	Omit.
III	Omit.

Schedule	Adaptation		
IV	For this Schedule substitute : " FOURTH SCHEDULE. EAST BENGAL CONSTITUENCIES. I.—GENERAL CONSTITUENCIES.		
Name of Constituency	Extent of Constituency	No. of Seats.	Scheduled castes seats.
(i) <i>Urban.</i>			
Presidency Division Municipal.	The Municipalities of the Nadia, Murshidabad and Jessore Dis- tricts.	1	..
North Bengal Municipal.	The Municipalities of the Rajshahi, Dinajpur, Rangpur, Bogra, Pabna, Malda and Mymensingh Districts.	1	..
East Bengal Municipal.	The Municipalities of the Dacca, Faridpur and Bakarganj dis- tricts and of the Chittagong Division.	1	..
(ii) <i>Rural.</i>			
Nadia . .	The Nadia district excluding municipal areas.	2	1
Murshidabad	The Murshidabad district ex- cluding municipal areas.	2	1
Jessore . .	The Jessore district excluding municipal areas.	2	1
Rajshahi . .	The Rajshahi district excluding municipal areas.	1	..
Malda . .	The Malda district excluding municipal areas.	2	1
Dinajpur . .	The Dinajpur district excluding municipal areas.	3	2
Rangpur . .	The Rangpur district excluding municipal areas.	3	2
Bogra cum Pabna.	The Bogra and Pabna district ex- cluding municipal areas.	2	1

EAST BENGAL

Name of Constituency.	Extent of Constituency.	No. of seats.	Scheduled castes seats.
(ii) Rural—contd.			
Dacca East .	The Sadar and Narayanganj sub-divisions of the Dacca district excluding municipal areas.	2	1
Dacca West .	The Manikganj and Munshiganj sub-divisions of the Dacca district.	1	—
Mymensingh West.	The Tangail and Jamalpur sub-divisions and the Kotwali, Muktagacha, Phulbaria, Gaffargaon, Trisal and Bhaluka police-stations of the Sadar sub-division of the Mymensingh district excluding municipal areas.	2	1
Mymensingh East.	The Netrakona and Kishoreganj sub-divisions and the Haluaghat, Phulpur, Nandail and Iswarganj police-stations of the Sadar sub-division of the Mymensingh district excluding municipal areas.	2	11
Faridpur .	The Faridpur district excluding municipal areas.	3	2
Bakarganj. South-West	The Pataukhali and Pirojpur sub-divisions of the Bakarganj district excluding municipal areas.	2	1
Bakarganj. North-East	The Sadar and Bhola sub-divisions of the Bakarganj district excluding municipal areas.	1	—
Tippera .	The Tippera district excluding municipal areas.	2	1
Noakhali .	The Noakhali district excluding municipal areas.	1	—
Chittagong .	The Chittagong district excluding municipal areas.	1	—
Sunamganj .	The whole of Sunamganj sub-division.	2	1
Habiganj (North).	Lakhai, Nabiganj, Baniyachung and Ajmiriganj thanas.	2	1

EAST BENGAL

Name of Constituency.	Extent of Constituency.	No. of seats.	Scheduled castes seats.
<i>Rural—contd.</i>			
Habiganj (South).	Habiganj, Madhabpur, Chunari- ghat and Bahubal thanas.	1	—
South Sylhet (West).	Maulvi Bazar, Srimangal and Kamalganj thanas.	1	—
South Sylhet (East).	Kulaura and Rajnagar thanas.	1	—
Sylhet Sadr (South).	Fenchuganj, Golabganj, Bala- ganj and Biswanath thanas.	1	—
Sylhet Sadr (North).	Sylhet, Gowainghat, Kanaighat and Jaintiapur thanas.	1	—
Karimganj (West).	Jaldhup and Patharkandi thanas	1	—
Karimganj (East).	Karimganj, Badarpur and Rata- bari thanas.	2	1

II.—MUHAMMADAN CONSTITUENCIES.

Name of Constituency.	Extent of Constituency.	No. of seats.
<i>(i) Urban.</i>		
Dacca Municipal	The Municipalities of the Dacca district.	1
<i>(ii) Rural.</i>		
Kushtia	The Kushtia sub-division of the Nadia dis- trict.	1
Meherpur	The Meherpur sub-division of the Nadia district.	1
Nadia East	The Chuadanga sub-division and the Rana- ghat and Hanskhali police-stations of the Ranaghat sub-division of the Nadia district.	1

EAST BENGAL

Name of Constituency.	Extent of Constituency.	No. of seats.
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(ii) *Rural*—contd.

Nadia West	. The Sadar sub-division and the Santipur, Chakdah and Haringhata police-stations of the Ranaghat sub-division of the Nadia district.	1
Berhampore	. The Sadar sub-division of the Murshidabad district.	1
Murshidabad South-West.	The Lalbagh and Kandi sub-divisions of the Murshidabad district.	1
Jangipur	. The Jangipur sub-division of the Murshidabad district.	1
Jessore Sadar	. The Sadar sub-division of the Jessore district.	1
Jessore East	. The Magura and Narail Sub-divisions of the Jessore district.	1
Bongaon	. The Bongaon sub-division of the Jessore district.	1
Jhenidah	. The Jhenidah sub-division of the Jessore district.	1
Natore	. The Natore sub-division of the Rajshahi district.	1
Rajshahi North	. The Raninagar, Naogaon, Badalgachhi, Mahadebpur and Niamatpur police-stations of the Naogaon sub-division of the Rajshahi district.	1
Rajshahi South	. The Tanor, Godagari, Boalia, Pabna, Durgapur, Puthia and Charchhat police-stations of the Sadar sub-division of the Rajshahi district.	1
Rajshahi Central	The Manda and Atrai police-stations of the Naogaon sub-division and the Bagmara and Mohanpur (Khurd) police-stations of the Sadar sub-division of the Rajshahi district.	1
Balurghat	. The Balurghat sub-division of the Dinajpur district.	1
Thakurgaon	. The Thakurgaon sub-division of the Dinajpur district.	1

Name of Constituency.	Extent of Constituency.	No. of seats.
(ii) <i>Rural</i> —contd.		
Dinajpur Central-East.	The Chirirbandar, Parbatipur, Nawabganj and Ghoraghat police-stations of the Sadar sub-division of the Dinajpur district.	1
Dinajpur Central-West.	The Dinajpur, Biral, Kaliaganj, Kushmundi, Banshihari, Itahar, Raiganj and Hemtabad police-stations of the Sadar sub-division of the Dinajpur district.	1
Nilphamari .	The Nilphamari sub-division of the Rangpur district	1
Rangpur North .	The Kotwali, Gangachara, Badarganj, Kaliganj and Hatibandha police-stations of the Sadar sub-division of the Rangpur district.	1
Rangpur South .	The Kaunia, Pirgacha, Mitapokhur and Pirganj police-stations of the Sadar sub-division of the Rangpur district.	1
Kurigaon North .	The Bhurangamari, Nageswari, Fulbari, Lalmonirhat and Kurigaon police-stations of the Kurigaon sub-division of the Rangpur district.	1
Kurigaon South .	The Ulipur, Chilmari and Rangamari police-stations of the Kurigaon sub-division of the Rangpur district.	1
Gaibandha North	The Sundarganj, Sadullapur and Gaibandha police-stations of the Gaibandha sub-division of the Rangpur district.	1
Gaibandha South	The Palashbari, Gobindganj, Shaghata and Fulchuri police-stations of the Gaibandha sub-division of the Rangpur district.	1
Bogra East .	The Shariakandi and Gabtali police-stations of the Bogra district.	1
Bogra South. .	The Bogra, Sherpur and Dhunot police-stations of the Bogra district.	1
Bogra North. .	The Sibganj, Khetlal and Panchbibi police-stations of the Bogra district.	1

EAST BENGAL

Name of Constituency	Extent of Constituency	No. of Seats
(ii) Rural—contd.		
Bogra West	The Kahaln, Dupchanchia, Joypurhat and Admadighi police-stations of the Bogra district.	1
Pabna East	The Bera, Sujanagar, Santhia and Faridpur police-stations of the Sadar sub-division of the Pabna district.	1
Pabna West	The Chatmohar, Atgharia, Pabna and Sara police-stations of the Sadar sub-division of the Pabna district.	1
Serajganj South	The Shahzadpur, Chauhali and Belkuchi police-stations of the Serajganj sub-division of the Pabna district.	1
Serajganj North	The Serajganj and Kazipur police-stations of the Serajganj sub-division of the Pabna district.	1
Serajganj Central [*]	The Kamarkhanda, Ullapara, Raiganj and Taras police-stations of the Serajganj sub-division of the Pabna district.	1
Malda North	The Kharba, Harishchandrapur, Ratua, Marukchak, Gajole, Malda, Bamangola, Habibpur, English Bazar and Bholahat police-stations of the Malda district.	1
Malda South	The Kaliachak, Sibganj, Nawabganj, Nachole and Gomastapur police-stations of the Malda district.	1
Narayanganj South.	The Fatulla, Narayanganj, Baidyabazar and Rugganj police-stations of the Narayanganj sub-division of the Dacca district excluding municipal areas.	1
Narayanganj East	The Araihaazar, Narsingdi and Sibpur police-stations of the Narayanganj sub-division of the Dacca district.	1
Narayanganj North	The Monohardi and Raipura police-stations of the Narayanganj sub-division of the Dacca district.	1

EAST BENGAL

Name of Constituency	Extent of Constituency	No. of Seats
(ii) <i>Rural</i> —contd.		
Munshiganj	The Munshiganj, Tangibari and Lohajang police-stations of the Munshiganj sub-division of the Dacca district.	1
Dacca South Central.	The Serajdikhan and Srinagar police-stations of the Munshiganj sub-division and the Nawabganj and Dohar police-stations of the Sadar sub-division of the Dacca district.	1
Manikganj East	The Manikganj, Ghior and Satoria police-stations of the Manikganj sub-division and the Dhamrai police-stations of the Sadar sub-division of the Dacca district.	1
Manikganj West	The Singair, Daulatpur, Sibalaya and Harirampur police-stations of the Manikganj sub-division of the Dacca district.	1
Dacca North Central.	The Kaliakoir, Siripur, Kaliganj and Kapasia police-stations of the Sadar sub-division of the Dacca district.	1
Dacca Central	The Sabhar, Tezgaon, Lalbagh, Keraniganj and Joydebpur police-stations of the Sadar sub-division of the Dacca district excluding municipal areas.	1
Jamalpur East	The Nalitabari, Nokla and Shorpur police-stations of the Jamalpur sub-division of the Mymensingh district.	1
Jamalpur North	The Sribardi, Dewanganj and Islampur police-stations of the Jamalpur sub-division of the Mymensingh district.	1
Jamalpur West	The Melandaha, Madarganj and Sarishabari police-stations of the Jamalpur sub-division of the Mymensingh district.	1
Jamalpur cum Muktagacha.	The Jamalpur police-station of the Jamalpur sub-division and the Muktagacha police-station of the Sadar sub-division of the Mymensingh district.	1
Mymensingh North	The Halnaghat, Phulpur and Kotwali police-stations of the Sadar sub-division of the Mymensingh district.	1

EAST BENGAL

Name of Constituency	Extent of Constituency	No. of Seats
<i>(ii) Rural—contd.</i>		
Mymensingh East	The Iswarganj and Nandail police-stations of the Sadar sub-division of the Mymensingh district.	1
Mymensingh South	The Gaffargaon and Bhaluka police-stations of the Sadar sub-division of the Mymensingh district.	1
Mymensingh West	The Phulbaria and Trisal police-stations of the Sadar sub-division of the Mymensingh district.	1
Tangail South	The Nagarpur, Mirzapur and Basail police-stations of the Tangail sub-division of the Mymensingh district.	1
Tangail West	The Tangail and Kalihati police-stations of the Tangail sub-division of the Mymensingh district.	1
Tangail North	The Ghatail, Madhupur and Gopalpur police-stations of the Tangail sub-division of the Mymensingh district.	1
Netrakona South	The Kendua, Madan, Khaliajuri, Mohanganj and Atpara police-stations of the Netrakona sub-division of the Mymensingh district.	1
Netrakona North.	The Durgapur, Kalmakanda, Purbadhala, Barhatta and Netrakona police-stations of the Netrakona sub-division of the Mymensingh district.	1
Kishoreganj South	The Hossainpur, Pakundia and Kathiadi police-stations of the Kishoreganj sub-division of the Mymensingh district.	1
Kishoreganj North	The Kishoreganj, Karimganj, Tarail and Itna police-stations of the Kishoreganj sub-division of the Mymensingh district.	1
Kishoreganj East.	The Astagram, Nikli, Bajitpur, Bhairabazar and Kuliarchar police-stations of the Kishoreganj sub-division of the Mymensingh district.	1
Gopalganj	The Gopalganj sub-division of the Faridpur district.	1

EAST BENGAL

Name of Constituency	Extent of Constituency	No. of Seats.
<i>(ii) Rural—contd.</i>		
Goalundo . .	The Goalundo sub-division of the Faridpur district.	1
Faridpur West .	The Faridpur, Charbhadrasan, Nagarkanda and Bhusna police-stations of the Sadar sub-division of the Faridpur district.	1
Faridpur East .	The Sadarpur and Bhanga police-stations of the Sadar sub-division and the Sibchar police-station of the Madaripur sub-division of the Faridpur district.	1
Madaripur West .	The Rajair, Madaripur, Kalkini and Palong police-stations of the Madaripur sub-division of the Faridpur district.	1
Madaripur East .	The Gosairhat, Bhodarganj, Naria and Janjira police-stations of the Madaripur sub-division of the Faridpur district.	1
Patuakhali North	The Bauphal, Patuakhali, Mirzaganj and Betagi police-stations of the Patuakhali sub-division of the Bakarganj district.	1
Patuakhali South	The Barguna, Amtoli and Galachipa police-stations of the Patuakhali sub-division of the Bakarganj district.	1
Pirojpur South .	The Pathaighata, Mathbaria, Bamna, Bhandaria and Kathalia police-stations of the Pirojpur sub-division of the Bakarganj district.	1
Pirojpur North .	The Pirojpur, Nazirpur, Swarupkati, Banaripara and Kowkhali police-stations of the Pirojpur sub-division of the Bakarganj district.	1
Bakarganj North	The Mchondiganj, Muladi and Hizla police-stations of the Sadar sub-division of the Bakarganj district.	1
Bakarganj South	The Bakarganj, Rajapur, Nalchiti and Jhalakati police-stations of the Sadar sub-division of the Bakarganj district.	1
Bakarganj West .	The Barisal, Babuganj, Uzirpur and Gaurnadi police-stations of the Sadar sub-division of the Bakarganj district.	

EAST BENGAL

Name of Constituency.	Extent of constituency.	No. of Seats.
(ii) <i>Rural</i> —contd.		
Bhola North	The Bhola and Daulatkhan police-stations of the Dakshin Shabazpur sub-division of the Bakarganj district.	1
Bhola South	The Baranadi, Tazumaddin and Lalmoan police-stations of the Dakshin Shabazpur sub-division of the Bakarganj district.	1
Brahmanbaria North.	The Nasirnagar, Sarail and Brahmanbaria police-stations of the Brahmanbaria sub-division of the Tippera district.	1
Brahmanbaria South.	The Bancharampur and Nabinagar police-stations of the Brahmanbaria sub-division of the Tippera district.	1
Tippera North-East	The Kasba police-station of the Brahmanbaria sub-division and the Burichang police station of the Sadar sub-division of the Tippera district.	1
Tippera North	The Debiduar and Muradnagar police-stations of the Sadar sub-division of the Tippera district.	1
Tippera West	The Homna and Daudkandi police-stations of the Sadar sub-division of the Tippera district.	1
Tippera Central	The Chandina and Comilla police-stations of the Sadar sub-division of the Tippera district.	1
Tippera South	The Laksam and Chaudagram police-stations of the Sadar sub-division of the Tippera district.	1
Chandpur East	The Hajiganj and Kachua police-stations of the Chandpur sub-division of the Tippera district.	1
Chandpur West	The Chandpur and Faridganj police-stations of the Chandpur sub-division of the Tippera district.	1
Matlabbazar	The Matlabbazar police-station of the Chandpur sub-division of the Tippera district.	1
Noakhali North	The Begamganj and Senbagh police-stations of the Sadar sub-division of the Noakhali district.	1

EAST BENGAL

Name of Constituency.	Extent of Constituency.	No. of Seats.
(ii) <i>Rural</i> —contd.		
Noakhali Central	The Sudharam and Companyganj police-stations of the Sadar sub-division and the Sonagazi police-station of the Feni sub-division of the Noakhali district.	1
Ramganj <i>cum</i> Raipur.	The Ramganj and Raipur police-stations of the Sadar sub-division of the Noakhali district.	1
Noakhali West	The Lakhshmipur and Ramgati police-stations of the Sadar sub-division of the Noakhali district.	1
Noakhali South	The Hatiya and Sandwip police-stations of the Sadar sub-division of the Noakhali district.	1
Feni	The Feni, Pashuram and Chhagalnaya police-stations of the Feni sub-division of the Noakhali district.	1
Cox's Bazar	The Cox's Bazar sub-division of the Chittagong district.	1
Chittagong South	The Satkania, Banskhali and Anwara police-stations of the Sadar sub-division of the Chittagong district.	1
Chittagong South-Central.	The Patiya, Boalkhali and Rangania police-stations of the Sadar sub-division of the Chittagong district.	1
Chittagong North-East.	The Raojan, Hathazari and Fatikchhari police-stations of the Sadar sub-division of the Chittagong district.	1
Chittagong North-West.	The Sitakund, Mirsarai, Chittagong, Double Mooring and Pachalais police-stations of the Sadar sub-division of the Chittagong district.	1
Sunamganj (West)	Tahirpur, Dharampasha and Sulla thanas .	1
Sunamganj (Central).	Sunamganj thana	1
Sunamganj (East)	Chhatak thana	1
Sunamganj (South)	Derai and Jagannathpur thanas	1
Habiganj (North-West).	Baniyachung and Ajmiriganj thanas	1

EAST BENGAL

Name of Constituency.	Extent of Constituency.	No. of Seats.
(ii) <i>Rural</i> —contd.		
Habiganj (North-East).	Habiganj and Nabiganj thanas . . .	1
Habiganj (South-West).	Lakhai and Madhabpur thanas . . .	1
Habiganj (South-East).	Chunarighat and Bahubal thanas . . .	1
South Sylhet (West).	Maulvi Bazar and Srimangal thanas . . .	1
South Sylhet (Central).	Rajnagar and Kamalganj thanas . . .	1
South Sylhet (East)	Kulaura thana	1
Sylhet Sadr (Central).	Part of Sylhet Sadr thana containing Chaukidari Circles Nos. 1—41 and 51— 55 (inclusive) including the Municipal area.	1
Sylhet Sadr (North).	Gowainghat and Jaintiapur thanas <i>plus</i> the North of Eastern half of Kanairghat thana containing Chaukidari Circles Nos. 1—12, 15—20 and 32—34 (inclusive).	1
Sylhet Sadr (West).	Part of Sylhet Sadr thana containing Chaukidari Circles Nos. 42—50 and 56—67 (inclusive) and Biswanath thana.	1
Sylhet Sadr (East).	Golabganj thana <i>plus</i> the South Western of Kanairghat thana containing Chauki- dari Circles Nos. 13, 14 and 21—31 (in- clusive).	1
Sylhet Sadr (South).	Balaganj and Fenchuganj thanas . . .	1
Karimganj (West)	Jaldhup thana	1
Karimganj (Central).	Karimganj thana <i>less</i> Chaukidari Circles Nos. 22—28 (inclusive), 61, 62 and 64—68 (inclusive).	1
Karimganj (South)	Badarpur, Ratabari and Patharkandi thanas <i>plus</i> the following Chaukidari Circles of Karimganj thana :—Nos. 22— 28 (inclusive), 61, 62 and 64—68 (in- clusive).	1

EAST BENGAL

III.—WOMEN'S CONSTITUENCIES

Name of Constituency.	Extent of Constituency.	No. of Seats.
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(i) *General Urban.*

Dacca (General)	The Municipalities in the Dacca district	1
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(ii) *Muhammadan Urban.*

Dacca (Muham- madan).	The Municipalities in the Dacca District	1
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TABLE IV—Omitted

TABLE V—Omitted

VI.—INDIAN CHRISTIAN CONSTITUENCY.

Dacca Division	The Dacca Division	1
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VII.—PLANTING CONSTITUENCY.

East Bengal Planting.	The district of Sylhet	1
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VIII.—LANDHOLDERS CONSTITUENCIES.

Rajshahi Land- holders.	All districts not included in the Dacca or the Chittagong divisions.	1
Dacca Landholders	The Dacca Division 1857 .	1
Chittagong Land- holders.	The Chittagong Division excluding the the Chittagong Hill Tracts.	1

EAST BENGAL

IX—LABOUR CONSTITUENCIES

Name of Constituency	Extent of Constituency	No. of Seats
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(i) Trade Union Labour

Railway Trade Union.	Registered trade unions of railway workers operating in the Province.	1
Water Transport Trade Union.	Registered trade unions of water transport workers operating in the Province.	1

*(ii) Tea Garden Labour
(First election)*

Srimangal (District Sylhet)	All gardens within the jurisdiction of the Srimangal police-station.	1
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(Second election)

Longai Valley (District Sylhet)	All gardens in the Longai Valley, within the jurisdiction of the Patharkandi police-station.	1
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X—UNIVERSITY CONSTITUENCY

University	Non-territorial	1
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Schedule	Adaptations
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V	Omit.
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Schedule	Adaptations		
VI	For this Schedule substitute " SIXTH SCHEDULE "		
THE WEST PUNJAB CONSTITUENCIES			
I—GENERAL CONSTITUENCIES			
Name of Constituency	Extent of Constituency	No. of Seats	Sche- duled Castes Seats
(i) <i>Urban</i>			
Lahore City.	The Municipality and cantonment of Lahore.	1	—
North-Eastern Towns.	The municipalities of Chunian, Kasur, Patti, Baghbanpura-cum-Bhogiwal, Batala, Gurdaspur, Pathankot, Dalhousie, Sialkot, Pasrur, Wazirabad, Hafizabad, Gujranwala, Sheikhupura and Nankana Sahib; the cantonments of Bahun, Bakloh and Sialkot; the small towns of Mandi Pattoki, and Hardeo Daska; and the Civil Lines of Gurdaspur.	1	—
North-Western Towns.	The Municipalities of Gujrat, Jalalpur Jattan, Bhera, Sargodha, Sahiwal, Khushab, Jhelum, Chakwal, Pind Dadan Khan, Rawalpindi, Murree, Hazro, Campbellpur, Pindigheb, Mianwali, Isakhel, Kalabagh, Jhang-Maghiana and Chiniot; the cantonments of Jhelum, Rawalpindi, Murree, Campbellpur and Attock; and the notified area of Gujrat Civil Lines.	1	—
South-Western Towns.	The municipalities of Pakpattan, Montgomery, Okara, Kamalia, Gojra, Lyallpur, Multan, Khanawal, Muzaffargarh, Leiah, Dera Ghazi Khan and Jampur; the cantonment of Multan; and the Civil Lines of Muzaffargarh.	1	

WEST PUNJAB

Name of Constituency	Extent of Constituency	No. of Seas	Sche- duled Castes Seats.
<i>(ii) Rural</i>			
West Lahore Division.	The Lahore, Gujranwala, Sialkot and Sheikupura districts	2	1
Gurdaspur .	The Gurdaspur district .	1	—
Rawalpindi Division.	The Rawalpindi Division	1	—
South-East Multan Division	The Montgomery district and the Mailsi, Khanewal and Kabirwala tahsils of the Multan district.	1	—
Lyallpur and Jhang.	The Lyallpur and Jhang districts	2	1
West Multan Division.	The Muzaffargarh and Dera Ghazi Khan districts and the Multan, Shujabad and Lodhran tahsils of the Multan district.	1	—

II—MUHAMMADAN CONSTITUENCIES

Name of Constituency	Extent of Constituency	No. of Seats
<i>(i) Urban</i>		
Inner Lahore .	Lahore City within the Circular Road	1
Outer Lahore .	The municipal area of Lahore outside the Circular Road; the cantonment of Lahore and the municipality of Baghbanpura-cum-Bhogiwal.	1
North-Eastern Towns.	The municipalities of Chunian, Kasur, Patti, Batala, Gurdaspur, Pathankot, Dalhousie, Sialkot, Pasrur, Wazirabad, Hafizabad, Gujranwala, Sheikhpura and Nankana Sahib; the cantonments of Balun, Bakloh and Sialkot; the small towns of Mandi Pattoki, and Hardeo Daska; and the Civil Lines of Gurdaspur.	1

WEST PUNJAB

Name of Constituency.	Extent of Constituency.	No. of Seats.
(i) <i>Urban</i> —contd. -		
Rawalpindi Division Towns.	The municipalities of Gujrat, Jalalpur Jattan, Bhora, Sargodha, Sahiwal, Khushab, Jhelum, Chakwal, Pind Dadan Khan, Rawalpindi, Murree, Hazro, Campbellpur, Pindigheb, Mianwali, Isakhel and Kalabagh; the contonments of Jhelum, Rawalpindi, Murree, Campbellpur and Attock; and the notified area of Gujrat Civil Lines.	1
Multan Division Towns.	The municipalities of Pakpattan, Montgomery, Okara, Kamalia, Gojra, Lyallpur Jhang-Maghiana, Chiniot, Multan, Khanewal, Muzaffargarh, Leiah, Dera Ghazi Khan and Jampur; the cantonment of Multan; and the Civil Line of Muzaffargarh.	1
(ii) <i>Rural</i>		
Lahore . . .	The Lahore tahsil of the Lahore district .	1
Chunian . . .	The Chunian tahsil of the Lahore distsiot .	1
Kasur . . .	The Kasur tahsil of the Lahore district.	1
Gurdaspur East .	The Gurdaspur and Pathankot tahsils of the Gurdaspur district.	1
Batala . . .	The Batala tahsil of the Gurdaspur district.	1
Shakargarh . .	The Shakargarh tahsil of the Gurdaspur district.	1
Sialkot North .	The police station areas of Phuklian, Chaprar, Sialkot and Sambrial of the Sialkot district.	1
Sialkot Central .	The police station areas of Daska, Pasrur, Satrah and Nidoke of the Sialkot district.	1
Sialkot South .	The police station areas of Phillaura, Zafarwal, Qila Sobha Singh, Narowal and Raya of the Sialkot district.	1
Gujranwala North.	The Wazirabad tahsil and the police station area of Qila Dider Singh of the Gujranwala district.	1
Gujranwala East.	The Gujranwala tahsil (excluding the police station area of Qila Didar Singh) of the Gujranwala district.	1

WEST PUNJAB

Name of Constituency.	Extent of Constituency.	No. of Seats
(ii) Rural—contd.		
Hafizabad . .	The Hafizabad tahsil of the Gujranwala district.	1
Sheikhupura . .	The Sheikhupura tahsil of the Sheikhupura district.	1
Nankana Sahib . .	The Nankana Sahib tahsil of the Sheikhupura district.	1
Shahdara . .	The Shahdara tahsil of the Sheikhupura district.	1
Gujrat North . .	The police station areas of Sarai Alamgir, Kharian and Dinga of the Gujrat district.	1
Gujrat East . .	The police station areas of Karianwala and Lala Musa of the Gujrat district.	1
South-East Gujrat.	The police station areas of Jalapur Jattan, Gujrat Sadr and Kunjah of the Gujrat district.	1
North-West Gujrat.	The police station areas of Pindi Bahaud-Din, Miana Gondal and Kothala Sheikhan (excluding the zail of Mianwal) of the Gujrat district.	1
South-West Gujrat.	The police station areas of Pahrwanwala, Phalia and Qadirabad and the zail of Mianwal of the Gujrat district.	1
Shahpur . .	The Shahpur tahsil of the Shahpur district.	1
Khushab . .	The Khushab tahsil of the Shahpur district.	1
Bhalwal . .	The Bhalwal tahsil of the Shahpur district.	1
Sargodha . .	The Sargodha tahsil of the Shahpur district.	1
Jhelum . .	The Jhelum tahsil of the Jhelum district.	1
Pind Dadan Khan.	The Pind Dadan Khan tahsil of the Jhelum district.	1
Chakwal . .	The Chakwal tahsil of the Jhelum district.	1
Rawalpindi Sadr	The Rawalpindi tahsil of the Rawalpindi district.	1
Gujar Khan . .	The Gujar Khan tahsil of the Rawalpindi district.	1

WEST PUNJAB

Name of Constituency.	Extent of Constituency.	No. of Seats.
(ii) <i>Rural</i> —contd.		
Rawalpindi East	The Murree and Kahuta tahsils of the Rawalpindi district.	1
Attock North	The Attock tahsil, the Bahtar zail of the Fatehjang tahsil and the Nara Jalwal and Basal zails of the Pindigheb tahsil of the Attock district.	1
Attock Central	The Fatehjang tahsil (excluding the Bahtar zail) and the Dandi, Kamrial, Khaur, Khunda Kamalpur, Khunda Thatti Nur Ahmad Shah and Pindigheb zails of the Pindigheb tahsil of the Attock district.	1
Attock South	The Talagang tahsil and the Jand, Narrah, Makhad and Maira zails of the Pindigheb tahsil of the Attock district.	1
Mianwali North	The Isakhel and Mianwali tahsils of the Mianwali district excluding the police station area of Piplan and the Wan Bhachran zail.	1
Mianwali South	The Bhakkar tahsil, the police station area of Piplan and the Wan Bhachran Zail of the Mianwali district.	1
Montgomery	The Montgomery tahsil of the Montgomery district.	1
Okara	The Okara tahsil of the Montgomery district	1
Dipalpur	The Dipalpur tahsil of the Montgomery district.	1
Pakpattan	The Pakpattan tahsil of the Montgomery district.	1
Lyallpur	The Lyallpur tahsil of the Lyallpur district	1
Samundri	The Samundri tahsil of the Lyallpur district	1
Toba Tek Singh	The Toba Tek Singh tahsil of the Lyallpur district.	1
Jaranwala	The Jaranwala tahsil of the Lyallpur district.	1
Jhang East	The police station areas of Chiniot, Lalian and Bhowana of the Jhang district.	1
Jhang Central	The police station areas of Jhang Sadr, Kotwali (rural), Qadirpur, Mochiwala and Barana of the Jhang district.	1
Jhang West	The police station areas of Shorkot, Garh Maharaja, Atharan Hazari and Masan of the Jhang district.	1

WEST PUNJAB

Name of Constituency	Extent of Constituency	No. of Seats
(ii) <i>Rural</i> —contd.		
Multan . . .	The Multan tahsil of the Multan district.	1
Shujabad . . .	The Shujabad tahsil of the Multan district.	1
Lodhran . . .	The Lodhran tahsil of the Multan district.	1
Mailsi . . .	The Mailsi tahsil of the Multan district.	1
Khanewal . . .	The Khanewal tahsil of the Multan district.	1
Kabirwala . . .	The Kabirwala tahsil of the Multan district.	1
Muzaffargarh Sadr.	The Muzaffargarh tahsil of the Muzaffargarh district.	1
Alipur . . .	The Alipur tahsil of the Muzaffargarh district.	1
Muzaffargarh North.	The Kot Adu and Leiah tahsils of the Muzaffargarh district.	1
Dera Ghazi Khan	The police station areas of Vehoa, Retra, Taunsa, Kala, Batil and Dera Ghazi Khan Sadr of the Dera Ghazi Khan district.	1
Dera Ghazi Khan Central.	The police station areas of Drahman, Kot Chutta, Choti and Jampur of the Dera Ghazi Khan district.	1
Dera Ghazi Khan South.	The police station areas of Dajal, Harrand, Kot Mithan, Rajanpur, Rojhan, Fazilpur and Shahwali of the Dera Ghazi Khan district.	1

WEST PUNJAB

III—SIKH CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
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(i) *Urban.*

Western Towns	The municipalities of Batala, Gurdaspur, Pathankot, Dalhousie, Sialkot, Pasrur, Chunian, Lahore, Baghbanpura-cum-Bhogiwal, Kasur, Patti, Wazirabad, Hafizabad, Gujranwala, Sheikhpura, Nankana Sahib, Gujrat, Jalalpur Jattan, Bhera, Sargodha, Sahiwal, Khushab, Jhelum, Chakwal, Pind Dadan Khan, Rawalpindi, Murree, Hazro, Campbellpur, Pindigheb, Mianwali, Isakhel, Kalabagh, Pakpattan, Montgomery, Okara, Kamalia, Gojra, Lyallpur, Jhang-Maghiana, Chiniot, Multan, Khanewal, Muzaffargarh, Leiah, Dera Ghazi Khan and Jampur; the cantonments of Balun, Bakloh, Sialkot, Lahore, Jhelum, Rawalpindi, Murree, Campbellpur, Attock and Multan; the notified area of Gujrat Civil Lines; the small towns of Hardo Daska, and Mandi Pattoki; and the Civil Lines of Gurdaspur and Muzaffargarh.	1
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(ii) *Rural.*

West	The Lahore and Chunian tahsils of the Lahore district.	1
Kasur	The Kasur tahsil of the Lahore district	1
Gurdaspur North	The Gurdaspur, Pathankot and Shakargarh tahsils of the Gurdaspur district.	1
Batala	The Batala tansil of the Gurdaspur district	1
Sialkot	The Sialkot district	1
Gujranwala and Shahdara.	The Gujranwala district and the Shahdara tahsil of the Sheikhpura district.	1

WEST PUNJAB

Name of Constituency	Extent of Constituency	No. of Seats
<i>(ii) Rural—contd.</i>		
Sheikhupura West	The Sheikhupura and Nankana Sahib tahsils of the Sheikhupura district.	1
Gujrat and Shahpur	The Gujrat and Shahpur districts . . .	1
North-West Punjab.	The Jhelum Rawalpindi, Attock and Mianwali districts.	1
Montgomery East	The Okara, Dipalpur and Pakpattan tahsils of the Montgomery district.	1
Lyallpur West .	The Lyallpur and Toba Tek Singh tahsils of the Lyallpur district.	1
Lyallpur East .	The Samundri and Jaranwala tahsils of the Lyallpur district.	1
South-West Punjab.	The Jhang, Multan Muzaffargarh and Dear Ghazi Khan districts and the Montgomery tahsils of the Montgomery district	1

IV. WOMEN'S CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
<i>(i) General Urban.</i>		
Lahore City General.	The municipality and cantonment of Lahore	1
<i>(ii) Muhammadan Urban.</i>		
Inner Lahore Muhammadan.	Lahore City within the Circular Road	1
Outer Lahore Muhammadan.	The municipal area of Lahore, outside the Circular Road, the cantonment of Lahore and the municipality of Baghbanpura-cum-Bhogiwal.	1

WEST PUNJAB

V.—ANGLO-INDIAN CONSTITUENCY.

Name of Constituency	Extent of Constituency	No. of Seats
Anglo-Indian	The West Punjab	1

VII.—INDIAN CHRISTIAN CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
East Punjab.	The Lahore, Gurdaspur and Sialkot districts	1
West Punjab.	The Gujranwala, Sheikhupura, Shahpur, Montgomery, Lyallpur and Multan districts.	1

VIII.—COMMERCE AND INDUSTRY CONSTITUENCY.

Name of Constituency	Extent of Constituency	No. of Seats
West Punjab Commerce and Industry.	The Northern India Chamber of Commerce, the Punjab Chamber of Commerce, the Indian Chamber of Commerce and the Punjab Trades Association.	1

IX.—LANDHOLDERS CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
Lahore Division Landholders.	The Gurdaspur, Lahore, Sialkot, Sheikhupura and Gujranwala districts.	1
Rawalpindi Division Landholders.	The Rawalpindi Division	1
Multan Division Landholders.	The Multan Division	1
Tumandars	The West Punjab	1

X.—LABOUR CONSTITUENCIES.

Name of Constituency	Extent of Constituency	No. of Seats
	(i) <i>Trade Union Labour.</i>	
Trade Union	The North-Western Railway Union	1
	(ii) <i>Non-Union Labour.</i>	
North Punjab	The Gurdaspur, Rawalpindi and Attock districts.	1

WEST PUNJAB

XI—UNIVERSITY CONSTITUENCY.

Name of Constituency	Extent of Constituency.	No. of Seats
University	Non-territorial	1

Schedule	Adaptations
VII	Omit.
VIII	Omit.
IX	Omit.
XI	Omit.
XII	Omit Part IV.

II. *The Government of India (Scheduled Castes) Order, 1936.*—
In paragraphs 3 and 4 for “Bengal” substitute “East Bengal”
Omit Parts I and II of the Schedule.

In Part III of the Schedule for "Bengal" substitute "East Bengal".
After "throughout the Province" insert "except Sylhet district".

Add the following new paragraph :—

"2. Scheduled castes in the Sylhet district :—

Mali, or Bhumali	Sutradhar	Kaibartta or Juliya
Dhupi, or Dhobi	Muchi	Lalbegi
Dugla, or Dholi	Patni	Mehtar, or Bhangi
Jhalo and Malo	Namasudra	Bansphor
Mahara		

Omit Part IV.

In Part V of the Schedule for "Punjab" substitute "West Punjab"

Omit Parts VI, VII, VIII and IX of the Schedule.

MOUNTBATTEN OF BURMA,
Governor-General.

K. V. K. SUNDARAM,
Officer on Special Duty.

**SECRETARIAT OF THE GOVERNOR-GENERAL
(REFORMS).**

NOTIFICATION

New Delhi, the 14th August, 1947

No. G. G. O. 20.—The following Order made by the Governor-General is published for general information:—

**THE PAKISTAN (ADAPTATION OF EXISTING PAKISTAN
LAWS) ORDER, 1947.**

WHEREAS sub-section (3) of section 18 of the Indian Independence Act, 1947 (hereafter in the recitals to this Order referred to as “the said Act”), provides that save as otherwise expressly provided in the said Act, the law of British India and of the several parts thereof existing immediately before the appointed day shall, so far as applicable and with the necessary adaptations, continue as the law of each of the new Dominions and the several parts thereof, until other provision is made by laws of the Legislature of the Dominion in question or by any other Legislature or other authority having power in that behalf:

AND WHEREAS sub-section (1) of section 9 of the said Act provides that the Governor-General shall by order make such provision as appears to him to be necessary or expedient for bringing the provisions of the said Act into effective operation and for removing difficulties arising in connection with the transition to the provisions of the said Act:

NOW THEREFORE in exercise of the powers conferred by the said Act, the Governor-General is pleased to make the following Order:—

1. (1) This Order may be cited as the Pakistan (Adaptation of Existing Pakistan Laws) Order, 1947.

(2) It shall come into force on the fifteenth day of August, 1947.

2. (1) In this order—

“appointed day” means the fifteenth day of August 1947;

“existing Pakistan law” means any Act, Ordinance, Regulation, rule, order or bye-law which immediately before the appointed

day has the force of law in the whole or any part of the territories which as from that date form the territories of the Dominion of Pakistan, but does not include any Act of Parliament, or any Order in Council, rule or other instrument made under an Act of Parliament, or the General Clauses Act, 1897.

(2) The General Clauses Act, 1897, applies for the interpretation of this Order as it applies for the interpretation of a Central Act.

3. As from the appointed day, all existing Pakistan laws shall, until repealed or altered or amended by a competent Legislature or other competent authority, in their application to Pakistan and any part or parts thereof, be subject to the adaptations directed in this Order.

4. (1) Where an existing Pakistan law contains a provision defining the territories to which the law extends, or a provision referring to the territories which are within the scope of that provision, that provision shall be so adapted as to exclude any territories which on the appointed day are not to form part of the territories of Pakistan.

(2) Without prejudice to the general effect of the preceding paragraph, references in any existing Pakistan law to "the whole of British India" (or "British India"), to "Bengal" and to "the Punjab" shall, except where the reference occurs in a title or preamble or any citation or description of an Act, Ordinance or Regulation and except where the context otherwise requires, be replaced by references to "all the Provinces of Pakistan", to "East Bengal" and to "West Punjab", respectively.

5. Any reference in an existing Pakistan law to a High Court which as from the appointed day ceases to be a High Court for any part of Pakistan shall—

(a) if the reference be to the High Court of Judicature at Fort William in Bengal, be replaced by a reference to the High Court of East Bengal, and

(b) in any other case, be omitted.

6. Any words in an existing Pakistan law signifying that the Governor-General or Governor is to act in his discretion or to exercise his individual judgment shall be omitted.

7. Any reference in an existing Pakistan law to the exercise of the functions of the Crown in its relation with Indian States (including any provision the operation of which depends on the exercise of such functions) shall be omitted, and references in any such law to the Crown Representative shall be omitted or construed as references to the Central Government as the context may require.

8. Any reference in an existing Pakistan law to the Indian Legislature, or to a Chamber or the Chambers thereof, shall be construed as a reference to the Central Legislature.

9. (1) Any reference in an existing Pakistan law to a tribunal, authority, officer or official body whose jurisdiction or authority immediately before the appointed day extends—

- (a) to the whole of India or British India or over parts of British India which on the said day fall partly within the Dominion of India and partly within the Dominion of Pakistan, or
- (b) to the whole of the Province of Bengal or over parts of that Province which on the said day fall partly within the Province of East Bengal and partly within the Province of West Bengal, or to the whole of the Province of Assam or over parts of that Province which on the said day fall partly within the Province of Assam and partly within the Province of East Bengal, or
- (c) to the whole of the province of the Punjab or over parts of that Province which on the said day fall partly within the Province of East Punjab and partly within the Province of West Punjab,

shall be construed as references to such tribunal, authority, officer or official body as the appropriate Government may by notification in the official Gazette constitute or appoint in that behalf, and any such direction may be given so as to have retrospective effect from the appointed day.

(2) For the purposes of this Article, the expression “appropriate Government” means, as respects a law relating to a matter enumerated in List I of the Seventh Schedule to the Government of India Act, 1935, the Central Government, and as respects any other law, the Provincial Government of East Bengal or West Punjab, as the case may be.

10. Any court, tribunal or authority required or empowered to enforce an existing Pakistan law shall, notwithstanding that this Order makes no provision or insufficient provision for the adaptation of the law for the purpose of rendering it consistent with the provisions of the Indian Independence Act, 1947, and of the Government of India Act, 1935, as applicable to Pakistan, construe the law with all such adaptations as are necessary for the said purpose :

Provided that if any question arises regarding the adaptations with which such law should be construed for the said purpose, the question shall be referred to the Central Government if the law

relates to a matter enumerated in List I or List III in the Seventh Schedule to the Government of India Act, 1935, and to the Provincial Government in any other case, and the decision of that Government on any such reference shall be final.

11. The General Clauses Act, 1897, shall in its application to Pakistan, until repealed or altered or amended by the Central Legislature, be subject to the adaptations specified in the Schedule to this Order.

12. The provisions of this Order shall not render invalid anything duly done before the appointed day under an existing Pakistan law, and anything so done for British India or for parts thereof including territories thereafter included in Pakistan shall, as from the appointed day and until altered, varied or undone, have effect as if it had been done after the appointed day for the whole of Pakistan or as the case may be, for such territories thereof as aforesaid, by a competent authority and under and in accordance with the provisions then applicable to the case.

13. If by order under section 9 of the Indian Independence Act, 1947, provision is made for authorising the continued carrying on for the time being on behalf of the new Dominions or on behalf of any two or more of the Provinces therein referred to as the said new Provinces or services or activities previously carried on under the authority of an existing Pakistan law on behalf of British India as a whole or on behalf of the former Provinces which those new Provinces represent, then, notwithstanding anything herein contained, such law shall, as from the appointed day, or where the order under the said section 9 is made after the appointed day as from the date of the making of the order, have effect in its application to Pakistan according to the tenor of that order.

THE SCHEDULE.

(SEE ARTICLE 11).

Adaptations of the General Clauses Act, 1897 in its application to Pakistan.

Section 3.—In clause (7), after “any period after that date” insert “and before the establishment of the Federation of Pakistan”.

In clause (8aa), omit “or section 44 of the Government of India Act, 1935”.

For clause (8ab) substitute :—

“(8ab) “ Central Government ” shall—

(a) in relation to anything done before the commencement of Part III of the Government of India Act, 1935, mean the Governor-General in Council or the authority competent at the relevant date to exercise the functions corresponding to those subsequently exercised by the Governor-General ;

(b) in relation to anything done after the commencement of Part III of the said Act, but before the establishment of the Federation of Pakistan, mean, as respects matters with respect to which the Governor-General was by or under the provisions of the said act then in force required to act in his discretion, the Governor-General and as respects other matters, the Governor-General in Council ; and

(c) in relation to anything done or to be done after the establishment of the Federation of Pakistan, mean the Governor-General ; and shall include—

(i) in relation to functions entrusted under sub-section (1) of section 124 of the said Act to the Government of a Province, the Provincial Government acting within the scope of the authority given to it under that sub-section ; and

(ii) in relation to the administration of a Chief Commissioner's Province, the Chief Commissioner acting within the scope of the authority given to him under sub-section (3) of section 94 of the said Act : ”

In clause (9a), for “ the Punjab ” substitute “ West Punjab ”.

For clause (10) substitute “ (10) “ Collector ” shall mean the Chief Officer in charge of the revenue administration of a District : ”

For clause (11), substitute :—

“(11) ‘ Colony ’—

(a) in any Central Act passed after the commencement of Part III of the Government of India Act, 1935, shall mean any part of His Majesty's dominions exclusive of the British Islands, the Dominions of India and Pakistan (and before the establishment of those Dominions, British India) any Dominion as defined in the Statute of Westminster, 1931, any Province or State forming part of any of the said Dominions, and British Burma ; and

(b) in any Central Act passed before the commencement of Part III of the said Act, mean any part of His Majesty's dominions exclusive of the British Islands and of British India ; and in either case where parts of those dominions are under both a central and local legislature, all parts under the central legislature shall, for the purposes of this definition, be deemed to be one colony.

In clause (14a), omit " contracts made by the Federal Railway Authority " and for " made in connection " substitute " made before the fifteenth day of August, 1947 in connection ".

In clauses (14b), (14c) and (14d), omit " the Federal Railway Authority " .

In clause (14e), for " the Federal Railway authority or the Crown Representative " substitute " and with reference to a state of affairs existing after the commencement of Part III of the Government of India Act, 1935, and before the establishment of the Federation of Pakistan, includes also property vested in His Majesty, or otherwise held, for the purposes of the Crown Representative ".

After clause (16a) insert—

" (16b) " East Bengal Act " shall mean an Act made by the Provincial Legislature of East Bengal under the Government of India Act, 1935 : ".

In clause (17), omit " Madras ".

Omit clauses (18a) and (18b).

In clause (24), for " part of British India " substitute " in a Province or part thereof ".

For clause (27) substitute :—

" (27) " India " shall mean—

(a) as respects any period before the establishment of the Federation of Pakistan, British India together with all territories of any Indian ruler than under the suzerainty of His Majesty, all territories under the suzerainty of such an Indian ruler, and the tribal areas ; and

(b) as respects any period after the establishment of the Federation of Pakistan, all territories for the time being included in the Dominion of India : ".

Omit clause (27a).

In clause (27b), omit " not being part of British India ", and for " His Majesty ", substitute " the Central Government ".

In clause (37a), for " India " substitute " Pakistan ".

After clause (37a) insert :—

" (37b) " Pakistan Law " shall mean any Act, Ordinance, Regulation, rule, order or bye-law which before the establishment of the Federation of Pakistan had the force of law in British India or any part thereof, or thereafter has the force of law in Pakistan or any part thereof other than a Federated State, but does not include any Act of Parliament or any Order-in-Council, rule or other instrument made under an Act of Parliament ".

Omit clauses (40) and (41).

For clause (43a) substitute :—

“(43a) “Provincial Government ”—

(a) as respects anything done or to be done after the establishment of the Federation of Pakistan, shall mean in a Governor's Province, the Governor, and in a Chief Commissioner's Province, the Central Government ;

(b) as respects anything done before the establishment of the Federation of Pakistan, but after the commencement of Part III of the Government of India Act, 1935, shall mean in a Governor's Province, the Governor acting or not acting in his discretion, and exercising or not exercising his individual judgment, according to the provision in that behalf made by and under the said Act, and in a Chief Commissioner's Province, the Central Government ; and

(c) as respects anything done before the commencement of Part III of the said Act, shall mean the authority or person authorised at the relevant date to administer executive government in the Province in question :”.

In clause (45), for “British India ” substitute “a Province ”.

After clause (56) insert :—

“West Punjab Act ” shall mean an act made by the Provincial Legislature of West Punjab under the Government of India Act, 1935 ”.

Section 4A.—In sub-section (1), omit “Federal Government”, “Federal Railway Authority ” and “Indian law ”, after “official Gazette ” insert “Pakistan law ”, and for “Indian laws ” substitute “Pakistan laws ”.

In sub-section (2), for “Indian law ” substitute “Pakistan law ” and for “India ” substitute “Pakistan ”.

In sub-section (3), for “Indian law ” substitute “Pakistan law ”.

Section (5)—In sub-section (2), omit “or under section 32 of the Government of India Act, 1935 ”.

Omit section 5A.

Section 30.—Omit “or section 43 ”.

MOUNTBATTEN OF BURMA,
Governor-General.

K. V. K. SUNDARAM,
Officer on Special Duty.

**SECRETARIAT OF THE GOVERNOR-GENERAL
(REFORMS)**

NOTIFICATION

New Delhi, the 14th August, 1947.

No. G.G.O. 21.—The following Order made by the Governor-General is published for general information :

THE PAKISTAN (MONETARY SYSTEM AND RESERVE BANK) ORDER, 1947.

In exercise of the powers conferred by section 9 of the Indian Independence Act, 1947, and of all other powers enabling him in that behalf, the Governor-General is pleased to make the following Order :—

PART I.

INTRODUCTORY

1. (1) This Order may be called the Pakistan (Monetary System and Reserve Bank) Order, 1947.

(2) It shall come into force on the 15th day of August 1947.

2. In this Order, unless there is anything repugnant in the subject or context,—

- (a) “the Bank” means the Reserve Bank of India;
- (b) “India notes” means currency notes of the Government of India and bank notes of the Bank, other than Pakistan notes;
- (c) “Pakistan notes” means bank notes of the Bank inscribed in the manner provided in sub-section (2) of section 5 of Part II of this Order;
- (d) “India rupee coin” means rupee coin which is for the time being legal tender in India and includes one-rupee notes;
- (e) “India subsidiary coin” means coin of a lower denomination than one rupee which is for the time being legal tender in India;
- (f) “Reserve Bank Act” means the Reserve Bank of India Act, 1934;
- (g) “section” means a section of the Part of this Order in which the word occurs;

and other expressions have the same meaning as in the Reserve Bank Act.

PART II.

PROVISIONS TO HAVE EFFECT AS PART OF THE LAW OF PAKISTAN.

1. The provisions of this Part shall have effect as part of the law of Pakistan.

2. Subject to the provisions of this Part, the Bank shall, until the 30th day of September, 1948, manage the currency of Pakistan and carry on the business of banking in Pakistan.

3. Until the Pakistan Legislature otherwise provides, the standard monetary unit of Pakistan shall be the India rupee.

4. (1) Until the 30th day of September, 1948.—

(a) the Bank shall accept moneys for account of the Government of Pakistan and the Provincial Governments in Pakistan, make payments up to the amount standing to the credit of their accounts respectively, carry out their exchange, remittance and other banking operations, including the management of the public debt, and generally afford to them similar facilities to those which the Bank affords to the Government of India, or as the case may be, the Provincial Governments in India;

(b) the Government of Pakistan and each Provincial Government in Pakistan shall entrust the Bank with the management of the public debt and with the issue of any new loans;

(c) the Government of Pakistan and the Provincial Governments in Pakistan shall entrust the Bank with all their money, remittance, exchange and banking transactions in Pakistan, and in particular, shall deposit free of interest all their cash balances with the Bank:

Provided that nothing in this sub-section shall prevent the Government of Pakistan or any Provincial Government in Pakistan from carrying on money transactions at places where the Bank has no branches or agencies and from holding at those places such balances as they may require

Provided further that the provisions of this sub-section, so far as they relate to management of the public debt, the issue of new loans and exchange operations, shall not have effect after the 31st day of March 1948.

(2) The conditions on which the Bank shall perform the functions mentioned in this section shall be the same as those regulating similar transactions between the Bank and the Government of India, or as the case may be, a Provincial Government in India, subject however to such adaptations and modifications as may be

agreed upon between the Government concerned and the Bank, or as may, in default of agreement be prescribed by the Governor-General of Pakistan.

5. (1) India notes shall, until the 30th day of September 1948, be legal tender at any place in Pakistan in payment or on account of the amount expressed therein.

(2) On and after the 1st day of April 1948 the Bank may issue in Pakistan bank notes of the Bank inscribed with the words "Government of Pakistan" in English and Urdu, and such notes shall be legal tender in Pakistan in payment or on account of the amount expressed therein :

Provided that notwithstanding anything contained in any enactment or rule of law to the contrary, the Government of India shall not be deemed to be liable to pay the value of any notes so inscribed; neither after the 30th day of September 1948 shall the Bank be so liable.

(3) The Bank shall, up to the 30th day of September 1948, have the sole right to issue bank notes in Pakistan, and before the expiry of that day, the Government of Pakistan shall not issue any currency notes.

(4) No person in Pakistan other than the Bank shall draw, accept, make or issue any bill of exchange, hundi, promissory note or engagement for the payment of money payable to bearer on demand, or borrow, owe or take up any sum or sums of money on the bills, hundis or notes payable to bearer on demand of any such person.

Provided that cheques or drafts, including hundis, payable to bearer on demand or otherwise may be drawn on a person's account with a banker, shroff, or agent.

(5) Notwithstanding anything contained in the Negotiable Instruments Act, 1881, no person in Pakistan, other than the Bank, shall make or issue any promissory note expressed to be payable to the bearer of the instrument.

(6) Any person contravening the provisions of sub-section (4) or sub-section (5) shall be punishable with fine which may extend to the amount of the bill, hundi, note or engagement in respect of which the offence is committed.

(7) No prosecution under this section shall be instituted except on complaint made by the Bank.

6. (1) Notwithstanding anything contained in any enactment or rule of law to the contrary, no person shall of right be entitled to recover from the Bank or the Government of Pakistan the value of any lost, stolen, mutilated or imperfect India note or Pakistan note.

(2) The Bank may with the previous sanction of the Government of Pakistan prescribe the circumstances in which, and the conditions and limitations subject to which, the value of lost, stolen, mutilated or imperfect Pakistan notes may be refunded as of grace.

(3) The value of lost, stolen, mutilated or imperfect India notes may be refunded as of grace in Pakistan in the circumstances and subject to the conditions and limitations prescribed for the time being in that behalf as respects India under section 28 of the Reserve Bank Act.

COINAGE

7. (1) India rupee coin and India subsidiary coin shall continue to be legal tender in Pakistan to the like extent and subject to the same conditions as immediately before the 15th day of August 1947 for such period or periods, not expiring, in the case of any coins, sooner than one year from the introduction of corresponding Pakistan coins, as the Government of Pakistan may determine:

Provided that India one-rupee notes shall not be legal tender in Pakistan after the 30th day of September 1948.

(2) No Pakistan coins shall be issued except in pursuance of a law of Pakistan, and before the 1st day of October 1948, no Pakistan coin shall be issued of a denomination different to that of India coin in circulation at the commencement of this Order.

8. During the period in which the Bank is managing the currency of Pakistan—

(a) any Pakistan coins issued shall on demand be supplied by the Government of Pakistan to the Bank against payment of their nominal value in such quantities as will, in the opinion of the Bank, be required for circulation in Pakistan, and the Government of Pakistan shall not put any coins in circulation in Pakistan except through the Bank in pursuance of a demand made under this clause;

(b) the Bank may deliver to the Government of Pakistan any Pakistan coins which will not in its opinion be required for circulation in Pakistan against payment of their nominal value, and no Pakistan coins shall be disposed of by the Bank otherwise than for the purposes of circulation or by delivery to the Government of Pakistan under this clause;

(c) the Bank shall on demand issue India or Pakistan rupee coin in exchange for legal tender notes:

Provided that, if any Pakistan coins have been issued, the Bank shall not, after the 31st day of March 1948, issue India coins, except to the extent that Pakistan

- coins are not, in the opinion of the Bank, available in sufficient quantities for the purposes of circulation;
- (d) the Bank shall on demand issue legal tender notes in exchange for legal tender coins;
 - (e) the Bank shall in exchange for legal tender notes of five rupees or upwards supply legal tender notes of lower value or legal tender coins in such quantities as may in the opinion of the Bank be required for circulation;
 - (f) if the Government of India or, as the case may be, the Government of Pakistan, at any time fails to supply coins to the Bank, the Bank shall be released from its obligations under clause (c) or clause (e) to supply such coins to the public.

9. Notwithstanding anything contained in any enactment or rule of law to the contrary, the Government of India shall not be liable to pay the value of any one-rupee note inscribed with the words "Government of Pakistan" in English and Urdu.

10. (1) The Indian Coinage Act, 1906, shall, until other provision is made by a law of Pakistan and subject to the provisions of this Order, apply to Pakistan, and in such application —

- (a) for section 1 there shall be substituted the following section, namely:—

"1. Short title and extent.—(1) This Act may be called the Pakistan Coinage Act.

- (2) It extends to the whole of Pakistan."

- (b) references to the Central Government shall be construed as references to the Government of Pakistan.

(2) Rules made under the Indian Coinage Act, 1906, and in force immediately before the commencement of this Order shall be in force in Pakistan until they are modified or rescinded under that Act as in force in Pakistan.

DUTIES OF BANK REGARDING EXCHANGE.

11. Up to the 31st day of March 1948, the Bank shall sell to or buy from any authorised person who makes a demand in that behalf at its office in Karachi foreign exchange at such rates of exchange and on such conditions as the Government of Pakistan, in consultation with the Government of India, may, from time to time by general or special order determine:

Provided that no person shall be entitled to demand to buy or sell foreign exchange of the value of less than two lakhs of rupees.

Explanation.—In this section "authorised person" means a person who is entitled by or under the Foreign Exchange Regulation Act, 1947, to buy or, as the case may be, sell the foreign exchange to which his demand relates.

CONTROL OF SCHEDULED BANKS, ETC.

12. (1) Every Pakistan scheduled bank shall maintain with the Bank a balance the amount of which shall not at the close of business on any day be less than five per cent. of the demand liabilities, and two per cent. of the time liabilities, of that bank in Pakistan as shown in the latest return made under sub-section (2).

Explanation.—For the purposes of this section liabilities shall not include the paid-up capital or reserves, or any credit balance in the profit and loss account of the scheduled bank or the amount of any loan taken by it from the Bank.

(2) Every Pakistan scheduled bank shall send to the Bank a return signed by two responsible officers of the scheduled bank showing—

- (a) the amounts of its demand and time liabilities, respectively in Pakistan,
- (b) the total amount held in Pakistan in India notes and Pakistan notes, respectively,
- (c) the amounts held in Pakistan in India rupee coin, India subsidiary coin and Pakistan rupee and Pakistan subsidiary coin, respectively,
- (d) the amounts of advances made and of bills discounted in Pakistan, respectively,
- (e) the balance held at the Bank,—

at the close of business on each Friday, or where Friday is a public holiday under the Negotiable Instruments Act, 1881, at the close of business on the preceding working day, and the return shall be sent not later than two working days after the date to which it relates :

Provided that where the Bank is satisfied that the furnishing of a weekly return under this sub-section is impracticable in the case of any Pakistan Scheduled bank by reason of the geographical position of the bank and its branches, the Bank may require such bank to furnish in lieu of a weekly return a monthly return to be despatched not later than fourteen days after the end of the month to which it relates, giving the details specified in this sub-section in respect of such bank at the close of business for the month

(3) If at the close of business on any day before the day fixed for the next return, the balance held at the Bank by any Pakistan scheduled bank is below the minimum prescribed in sub-section (1), such bank shall be liable to pay to the Bank in respect of each such day penal interest at the rate of three per cent. above the bank rate on the amount by which the balance with the Bank falls short of the prescribed minimum, and if on the day fixed for the next

return such balance is still below the prescribed minimum as disclosed by this return, the rate of penal interest shall be increased to a rate five per cent. above the bank rate in respect of that day and each subsequent day on which the balance held at the Bank at the close of business on that day is below the prescribed minimum.

(4) Where under the provisions of sub-section (3) penal interest at the increased rate of five per cent. above the bank rate has become payable by a Pakistan scheduled bank, if thereafter on the day fixed for the next return the balance held at the Bank is still below the prescribed minimum as disclosed by this return,—

(a) every director and any managing agent, manager or secretary of the Pakistan scheduled bank, who is knowingly and wilfully a party to the default, shall be punishable with fine which may extend to five hundred rupees and with a further fine which may extend to five hundred rupees for each subsequent day on which the default continues,

(b) the Bank may prohibit the Pakistan scheduled bank from receiving after the said day any fresh deposit, and, if default is made by the Pakistan scheduled bank in complying with the prohibition referred to in clause (b), every director and officer thereof who is knowingly and wilfully a party to such default or who through negligence or otherwise contributes to such default shall in respect of each such default be punishable with fine which may extend to five hundred rupees and with a further fine which may extend to five hundred rupees for each day after the first on which a deposit received in contravention of such prohibition is retained by the Pakistan scheduled bank.

Explanation.—In this sub-section “officer” includes a managing agent, manager, secretary, branch manager and branch secretary

(5) Any Pakistan scheduled bank failing to comply with the provisions of sub-section (2) shall be liable to pay to the Bank a penalty of one hundred rupees for each day during which the failure continues.

(6) The penalties imposed by sub-sections (3) and (5) shall be payable on demand made by the Bank, and in the event of a refusal by the defaulting bank to pay on such demand, may be levied by a direction of the principal Civil Court having jurisdiction in the area where an office of the defaulting bank is situated, such direction being made only upon application made in that behalf to the Court by the Bank with the previous sanction of the Government of Pakistan.

(7) The Government of Pakistan shall, by notification in the official Gazette, declare to be a Pakistan scheduled bank any bank which carries on the business of banking in Pakistan and which—

- (a) has a paid up capital and reserves of an aggregate value of not less than five lakhs of rupees, and
- (b) is a company as defined in a clause (2) of section 2 of the Indian Companies Act, 1913, or a corporation or a company incorporated by or under any law in force in any place outside Pakistan.

and a bank so declared shall be a "Pakistan scheduled Bank" within the meaning of this section and shall by a like notification direct that any Pakistan scheduled bank the aggregate value of whose paid-up capital and reserves becomes at any time less than five lakhs of rupees, or which goes into liquidation or otherwise ceases to carry on banking business, shall cease to be a Pakistan scheduled bank :

Provided that no bank shall be declared to be a Pakistan scheduled bank if it is a scheduled bank within the meaning of the Reserve Bank Act.

(8) The Bank may, with the previous sanction of the Government of Pakistan, make regulations to provide for—

- (a) the relations of Pakistan scheduled banks with the Bank and the returns to be submitted by Pakistan scheduled banks to the Bank,
- (b) the regulation of clearing-houses for Pakistan scheduled banks.

(9) The provisions of this section shall have effect only up to the 30th day of September 1948

13. (1) The Bank may, until the 30th day of September 1948, require any Pakistan provincial co-operative bank with which it has transactions under section 17 of the Reserve Bank Act to furnish such returns as are referred to in sub-section (2) of section 12 of this Part, and while such a requirement is in force the provisions of sub-sections (5) and (6) of the said section 12 shall apply so far as may be to that co-operative bank as if it were a Pakistan scheduled bank

(2) In this section "Pakistan provincial co-operative bank" means—

- (a) the principal society in a Province in Pakistan which is registered or deemed to be registered under the Co-operative Societies Act, 1912, or any other law for the time being in force in Pakistan relating to co-operative societies and the primary object of which is the financing of other societies in the Province which are or are deemed to be so registered;

- (b) any other central co-operative society declared for the time being by a Provincial Government in Pakistan to be a Pakistan provincial co-operative bank for the purposes of this Order

MISCELLANEOUS

14. (1) The Bank shall not be liable for the payment of any stamp duty in Pakistan in respect of Pakistan notes or India notes.

(2) The Bank shall not be liable to pay Pakistan income-tax or super-tax on any of its income, profits or gains:

Provided that nothing in this sub-section shall affect the liability of any shareholder in respect of Pakistan income-tax or super-tax.

(3) For the purposes of any provisions of the Indian Income-tax Act, 1922, as in force in Pakistan, which relate to the levy and refund of income-tax, any dividends paid under section 47 of the Reserve Bank Act shall be deemed to be "Interest on Securities".

15. (1) The Reserve Bank Act shall cease to be part of the law of Pakistan, and the status of the Bank in Pakistan shall be that of a corporation existing only by virtue of the law of India and capable of suing and being sued as such in Pakistan; and accordingly effect shall be given to the said Act by Courts in Pakistan only in so far as under the rules and principles of law determining the cases in which law other than Pakistan law is to be applied in Pakistan, the proper law to be applied is the law of India.

(2) Nothing in the Indian Companies Act, 1913, shall apply to the Bank.

16. (1) If any person in Pakistan makes a false declaration in any declaration furnished by him in pursuance of a requisition under sub-section (1) of section 56 of the Reserve Bank Act, he shall be deemed in Pakistan to have committed the offence of giving false evidence defined in section 191 of the Indian Penal Code, and shall be punishable under the second paragraph of section 193 of the said Code.

(2) Nothing contained in any declaration furnished under the said sub-section (1) shall operate to affect the Bank with notice of any trust, and no notice of any trust express, implied or constructive shall be receivable by the Bank

17. The Banking Companies (Restriction of Branches) Act, 1946, and the Banking Companies (Inspection) Ordinance, 1946 shall until the 30th day of September 1948 apply also to the whole of Pakistan, and in such application references to the Central Government shall be construed as references to the Government of

Pakistan and for clause (b) of sub-section (1) of section 5 of the said Ordinance, the following shall be substituted, namely:—

“(b) notwithstanding anything contained in sub-section (7) of section 12 of Part II of the Pakistan (Monetary System and Reserve Bank) Order, 1947 the Government of Pakistan shall refuse to declare the banking company to be a Pakistan scheduled bank, or if the banking company has been so declared, shall by notification in the Official gazette, cancel such declaration:”

PART III

PROVISIONS TO HAVE EFFECT AS PART OF THE LAW OF INDIA

1. Until the 30th day of September 1948, the Reserve Bank of India Act, 1934, shall have effect as if:—

(1) to section 2 the following clauses were added, namely:—

“(f) ‘Pakistan scheduled Bank’, ‘Pakistan provincial co-operative bank’ and ‘Pakistan notes’ have the same meaning as in the Pakistan (Monetary System and Reserve Bank) Order, 1947;

(g) ‘bank notes’ and ‘currency notes of the Government of India’ do not, save as is expressly provided, include any notes which are Pakistan notes,

(h) ‘local authority’ includes a local authority in Pakistan.”;

(2) in sub-section (3) of section 4,—

(a) after the word “India” wherever it occurs, and after the word “Indian” wherever it occurs except in the expression “Indian Companies Act, 1913,” the words “or Pakistan” were inserted;

(b) after clause (c) the following clause were inserted, namely:—

“(d) a company or co-operative society registered in Pakistan under any law relating to companies or co-operative societies, or a Pakistan scheduled bank,”;

(3) in section 6, after the word “India” the words “or Pakistan” were inserted;

(4) in sub-section (1) of section 10, after the word “India” in both places where it occurs the words “or Pakistan” were inserted;

(5) in sub-section (5) of section 11,—

(a) for the words “the Federal Legislature, the Indian Legislature, a Provincial Legislature or the Coorg Legislative Council” the words “any Legislature in India or Pakistan” were substituted;

(b) the words “or Council” were omitted.

(6) in section 17—

- (a) in clauses (1), (5), (8) and (11) there were included references to the Government of Pakistan and to the Provincial Governments in Pakistan;
- (b) in sub-clause (a) of clause (2)—
 - (i) for the words “and payable in India” the words “India or Pakistan and payable in India or Pakistan” were substituted;
 - (ii) after the words “scheduled bank” the words “or a Pakistan scheduled bank” were inserted.
- (c) in sub-clause (b) of clause (2)—
 - (i) for the words “and payable in India” the words “in India or Pakistan and payable in India or Pakistan” were substituted;
 - (ii) for the words “or a provincial co-operative bank” the words “a Pakistan scheduled bank, a provincial co-operative bank or a Pakistan provincial co-operative bank” were substituted.
- (d) in sub-clause (c) of clause (2)—
 - (i) for the words “and payable in India” the words “in India or Pakistan and payable in India or Pakistan” were substituted;
 - (ii) after the words “scheduled bank” the words “or a Pakistan scheduled bank” were inserted;
 - (iii) after the words “Provincial Government” the words “or the Government of Pakistan or a Provincial Government in Pakistan” were inserted;
- (e) in sub-clause (a) of clause (3), after the word “banks” the words “and Pakistan scheduled banks” were inserted.
- (f) to sub-clause (b) of clause (3) the words “or in Pakistan except with a scheduled bank or a Pakistan scheduled bank” were added;
- (g) in clause (4)—
 - (i) after the words “co-operative banks” the words “Pakistan scheduled banks, Pakistan provincial co-operative banks” were inserted;
 - (ii) to sub-clause (a) the words “or Pakistan” were added;

- (iii) in sub-clause (d), after the words "co-operative bank" the words "or Pakistan scheduled bank or Pakistan provincial co-operative bank" were inserted;
- (h) in clause (14)—
 - (i) after the word "India" where it occurs for the first time, the words "or Pakistan" were inserted;
 - (ii) after the words "scheduled bank" the words "or Pakistan scheduled bank" were inserted;
 - (iii) after the word "India" where it occurs for the second and third times, the words "and Pakistan" were inserted;
- (i) to clause (15) the following were added, namely :—

"and the making and issue of Pakistan notes in accordance with the provisions of the Pakistan (Monetary System and Reserve Bank) Order, 1947".
- (j) to clause (16) the words, brackets and figures "and the Pakistan (Monetary System and Reserve Bank) Order, 1947" were added;
- (7) in section 18—
 - (a) after the word "Indian" the words "or Pakistan" were inserted;
 - (b) in clause (1), after the words "co-operative bank" the words "or a Pakistan scheduled bank or a Pakistan provincial co-operative bank" were inserted;
- (8) to sections 23 and 34 the following sub-section were added, namely :—

"(3) In this section references to bank notes include references to Pakistan notes.";
- (9) in section 29, after the word "notes" the words "or Pakistan notes" were inserted;
- (10) in sub-section (1) of section 30, after the words "by or under this Act" the words, brackets and figures "or the Pakistan (Monetary System and Reserve Bank) Order, 1947," were inserted;
- (11) in sub-sections (1) and (3) of section 33, for the words "rupee coin" the words "India rupee coin, Pakistan rupee coin" were substituted;

(12) in section 40, after the words "by general or special order determine," the words "in consultation with the Government of Pakistan and" were inserted;

(13) after section 40, the following section were inserted, namely:—

"40A. Remittance between India and Pakistan.—The Bank shall, until the 31st day of March 1948, provide any person who makes a demand in that behalf with remittance at par between its offices in Pakistan and such office or offices in India as may be prescribed by the Bank, in such amounts and subject only to such rate or rates of commission as may be approved by the Government of India and the Government of Pakistan."

(14) in section 42—

(a) in sub-section (1), after the word "India" the words "and Pakistan" were inserted;

(b) in sub-section (2), after clause (e) the following clauses were inserted, namely:—

"(f) the amounts of its demand and time liabilities, respectively, in Pakistan,

(g) the total amount held in India in Pakistan notes,

(h) the total amount held in Pakistan in currency notes of the Government of India and bank notes,

(i) the total amount held in Pakistan in Pakistan notes,

(j) the amounts held in Pakistan in rupee coin, subsidiary coin and Pakistan rupee coin and Pakistan subsidiary coin, respectively,

(k) the amounts of advances made and of bills discounted in Pakistan, respectively,";

(15) to section 43 the following were added, namely:—

"and from Pakistan scheduled banks under the corresponding provision of the Pakistan (Monetary System and Reserve Bank) Order, 1947".

(16) in section 54,—

(a) in clause (a), for the words "provincial co-operative banks" the words "the Government of Pakistan, the Provincial Governments in Pakistan, provincial co-operative banks, Pakistan provincial co-operative banks" were substituted:

- (b) in clause (b), after the words "co-operative banks" the words "Pakistan provincial co-operative banks" were inserted;

(17) in the First Schedule,—

- (a) in Part II, for the words "the Bengal Presidency" the words "East Bengal, West Bengal" were substituted;

- (b) in Part III, for the words "the Punjab" the words "East Punjab, West Punjab" were substituted:

Provided that the modification made in section 40 of the Reserve Bank Act by clause (12) of this section shall have effect only up to the 31st day of March 1948.

2. Until the 30th day of September 1948, the Government of India shall send as soon as may be to the Government of Pakistan, notice of any proposal to introduce, or move an amendment to, a Bill in the Indian Legislature which affects the coinage or currency of India or the constitution or functions of the Bank.

PART IV

ADJUSTMENTS BETWEEN GOVERNMENTS AND OTHER MISCELLANEOUS PROVISIONS

1. (1) In this section "Government's Bank Profits" in respect of any period means the sum of—

- (a) any amounts payable in respect of that period to the Government of India by the Bank under section 47, or sub-section (2) of section 37, of the Reserve Bank Act, and by the Issue Department under sub-section (2) of section 34 of that Act, and

- (b) any other profits accruing in that period to the Government of India by reason of any revaluation of the gold held by the Bank,

less any amount debited to the Government of India in that period under sub-section (2) of the said section 34:

Provided that the Government's Bank profits in respect of the period commencing on the 1st day of July 1948 and ending on the 30th day of September 1948 shall be deemed to be one-quarter of the said profits in respect of the year ending on the 30th day of June 1949

(2) The Government of India shall pay to the Government of Pakistan that portion of the Government's Bank profits in respect of the period commencing on the 1st day of July, 1947 and ending on the 30th day of September, 1948 which bears to the total of such profits in respect of the said period the same proportion as the total value of the Pakistan notes in circulation in Pakistan on the 30th day of September 1948 *plus* the total value of India notes returning from circulation in Pakistan in the period commencing on the 1st day of October 1948 and ending on the 31st day of March 1949 bears to the total value of India and Pakistan notes in circulation in India and Pakistan on the 30th day of September, 1948 :

Provided that if a declaration is made by or on the authority of the two Governments to the effect that they are agreed that on or about the 1st day of January 1949 India notes are still returning from circulation in Pakistan to a considerable extent, the provisions of this sub-section and of sub-section (2) of section 4 shall be construed and shall have effect as if for the references in those provisions to the 31st day of March 1949 there were substituted references to the 30th day of September 1949.

2. (1) In respect of the period commencing on the 15th August 1947 and ending on the 30th September 1948 the Government of India shall pay to the Government of Pakistan the profit, as calculated by the Auditor General of India, on the net amount of India subsidiary coins which are actually passed into circulation in Pakistan during that period less the loss, as calculated by the Auditor General of India, on the destruction of any India subsidiary coins returned from Pakistan during that period and destroyed as not being fit for reissue.

(2) If in respect of the period mentioned in sub-section (1), the amount of India subsidiary coins returning from circulation in Pakistan exceeds the amount of India subsidiary coins actually passed into circulation in Pakistan during that period, the Government of Pakistan shall pay to the Government of India the loss attributable to that fact, as calculated by the Auditor General of India, together with the loss, as calculated by the Auditor General of India, on the destruction of any India subsidiary coins returned from Pakistan during that period and destroyed as not being fit for reissue.

3 (1) Any India coins other than one-rupee notes retired from Pakistan (whether from circulation, from the Bank's balances, from Treasury balances, or from small coin depots) by reason of the introduction of corresponding Pakistan coins shall be disposed of as follows :—

(a) Coins, other than nickel brass and quaternary silver coins, shall be accepted against payment to the

Government of Pakistan of their bullion value. In addition, so long as the issue of such coins continues in India, the cost to India of minting the same amount of coin in the same form shall be paid to the Government of Pakistan.

(b) Nickel brass and quaternary silver coins shall be disposed of by the Government of Pakistan for their bullion contents direct.

(c) The Government of Pakistan shall not dispose of any coins as coin but may dispose of their bullion contents in any other manner desired by them.

(2) One-rupee notes of the Government of India shall be exchanged into Pakistan notes before the 30th day of September 1948, and the Pakistan Government shall return the notes so exchanged to the Government of India without payment.

4. (1) As soon after the 30th September 1948 as practicable and subject to the provisions of sub-section (3), there shall be transferred from the Issue Department of the Bank to the Government of Pakistan assets, which, as valued for the purposes of the Reserve Bank Act, have together a value equal to the total liability in respect of the Pakistan notes outstanding on that day.

(2) India notes which may be legal tender in Pakistan on the 30th September 1948 or in respect of which the rights of encashment in Pakistan exist on that date shall be accepted by the Government of Pakistan at par until the 31st March 1949, and there shall from time to time on the demand of the Government of Pakistan be transferred from the Issue Department of the Bank to the Government of Pakistan assets which as valued for the purposes of the Reserve Bank Act, have together a value equal to the amount of notes accepted by the Government of Pakistan under this sub-section.

(3) In transferring assets under this section, Pakistan rupee securities and the advances, if any, taken by the Government of Pakistan from the Bank shall first be set off against the liability for Pakistan notes and India notes accepted by the Government of Pakistan, and only in respect of the balance of that liability shall the other assets of the Issue Department, consisting of gold, sterling securities, India rupee coin, Pakistan rupee coin and Government of India securities, be transferred in the proportions in which assets of those classes respectively may be held by the Issue Department on the 30th day of September 1948.

(4) Any India rupee coin transferred under the foregoing provisions of this section shall be disposed of in accordance with the provisions of section 3 as if it were retired rupee coin, and any

Pakistan rupee coin remaining with the Bank after the transfers under this section shall be made over to the Government of India for disposal otherwise than as coin.

(5) The Government of Pakistan shall, if the Bank so desires, take over from the Bank all or any of the property held by the Bank in Pakistan for the purpose of carrying on its business against payment of the value of that property as shown in the books of the Bank.

(6) The Government of Pakistan shall be entitled to—

- (a) the same fraction of the amount of the Reserve Fund of the Bank as on the 30th day of September 1948 which would accrue to the Government of India if the Bank went into liquidation on that date, as the fraction of the uncovered debt of the Government of India for which the Government of Pakistan becomes liable on the 15th day of August 1947;
- (b) the same fraction of the other surplus assets of the Bank which would exist on the 30th day of September 1948 if the Bank went into liquidation on that date remaining after deducting therefrom the sums payable for a proportionate period in respect of the financial year of the Bank current on that date to the Government of India and the shareholders of the Bank, as the fraction of the assets of the Issue Department which the Government of Pakistan takes over :

Provided that any payment due under this sub-section shall be credited as a capital payment in reduction of the debt, if any, due by the Government of Pakistan to the Government of India.

5. The agreement made in pursuance of section 45 of the Reserve Bank Act between the Bank and the Imperial Bank of India shall, so far as the context so permits, have effect subject to the following adaptations, namely :—

- (a) references to India and British India shall be construed as including references to Pakistan;
- (b) references to the Governor General in Council in relation to his general banking business, his accounts, and sums due to or from him, and references to Government in relation to receipts and disbursements dealt with on account of Government shall be construed as including references to the Government of Pakistan and to the Provincial Governments in Pakistan;

(c) references to banks included in the Second Schedule to the Reserve Bank Act shall be construed as including references to Pakistan scheduled banks.

MOUNTBATTEN OF BURMA,
Governor-General.

K. V. K. SUNDARAM,
Officer on Special Duty.

**SECRETARIAT OF THE GOVERNOR-GENERAL
(REFORMS)**

NOTIFICATION

New Delhi, the 14th August 1947

No. G.G.O. 22.—The following Order made by the Governor-General is published for general information :—

THE PAKISTAN (PROVISIONAL CONSTITUTION)

ORDER, 1947

¶ WHEREAS by sub-section (2) of section 8 of the Indian Independence Act, 1947 (hereafter in the recitals to this Order referred to as the said Act), it is provided that except in so far as other provision is made by or in accordance with a law made by the Constituent Assembly of the Dominion under sub-section (1) of the said section, each of the new Dominions and all Provinces and other parts thereof shall be governed as nearly as may be in accordance with the provisions of the Government of India Act, 1935, and that the provisions of that Act shall, so far as applicable and subject to any express provisions of the said Act and with such omissions, additions, adaptations and modifications as may be specified in orders of the Governor-General under the next succeeding section of the said Act, have effect accordingly.¶

¶ AND WHEREAS by paragraph (c) of sub-section (1) of section 9 of the said Act it is provided that the Governor-General shall by order make such provision as appears to him to be necessary or expedient for making omissions from, additions to, and adaptations and modifications of the Government of India Act, 1935, in its application to the separate new Dominions ;

¶ AND WHEREAS by sub-section (4) of section 19 of the said Act it is provided that in the said Act, except so far as the context otherwise requires, references to the Government of India Act, 1935, include references to any enactments amending or supplementing that Act and in particular references to the India (Central Government and Legislature) Act, 1946 ;

NOW THEREFORE in exercise of the powers conferred by the said provisions of the said Act, the Governor-General is pleased to make the following Order :—

1. (1) This Order may be cited as the Pakistan (Provisional Constitution) Order, 1947.

(2) It shall come into force on the fifteenth day of August 1947, which day is hereinafter referred to as "the appointed day".

2. (1) Where a provision of the Government of India Act, 1935, has been amended before the appointed day, a reference to that provision in the Schedule to this Order shall be read as referring to the provision as in force immediately before the appointed day.

(2) The Interpretation Act, 1889, applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. (1) As from the appointed day, the Government of India Act, 1935, including the provisions of that Act which have not come into force before the appointed day, and the India (Central Government and Legislature) Act, 1946, shall, until other provision is made by or in accordance with a law made by the Constituent Assembly of Pakistan, apply to Pakistan with the omissions, additions, adaptations and modifications directed in the following provisions of this paragraph and in the Schedule to this Order.

(2) The following expressions shall be omitted wherever they occur, namely, "in his discretion", "acting in his discretion" and "exercising his individual judgment".

(3) For each of the expressions "existing Indian law" and "existing Indian Act" wherever that expression occurs there shall be substituted the expression "existing law".

4. Where the Schedule to this Order requires that in any specified provision certain words shall be substituted for certain other words or that certain words shall be omitted, that substitution or omission as the case may be, shall, unless otherwise expressly provided, be made wherever the words referred to appear in that provision.

5. Where any instrument is in force under any provision of the Government of India Act, 1935, immediately before the appointed day, and that provision remains in force, whether with or without modifications, on and after the appointed day, the said instrument shall, so far as applicable and with any necessary modifications, remain in force as from that day as if it were an instrument of the appropriate kind duly made by the appropriate authority under the said provision as in force after that day, and may be varied or revoked accordingly.

6. Where any law made by the Governor of a Province by virtue of section 93 of the Government of India Act, 1935, is in force immediately before the appointed day, the said law, notwithstanding that the said section is directed to be omitted in the Schedule to this Order or that by reason of such omission a Proclamation under the said section ceases to have effect, shall remain in force for the period for which it would have remained in force if the said section had been at all material times in operation.

7. (1) Subject to any general or special orders or arrangements affecting his case, any person who immediately before the appointed day is holding any civil post under the Crown in connection with the affairs of the Province of Bengal, the Punjab, the North-West Frontier Province or Sind shall, as from that day, be deemed to have been duly appointed to the corresponding post under the Crown in connection with the affairs of the Province of East Bengal, West Punjab, the North-West Frontier Province or, as the case may be, Sind.

(2) Notwithstanding that section 170 of the Government of India Act, 1935, is directed to be omitted in the Schedule to this Order, the person holding the office of the Auditor of Indian Home Accounts immediately before the appointed day is hereby authorised to continue until such date as the Governor-General may specify to perform such duties, and exercise such powers, in relation to transactions in the United Kingdom affecting the revenues of Pakistan or of any Province thereof as he was before the appointed day performing or exercising under the provisions of the said section 170.

The Schedule

1. THE GOVERNMENT OF INDIA ACT, 1935

Section	Adaptations
2	Omit.
3	For this section substitute :— “ 3. The Governor-General. —The Governor-General of Pakistan is appointed by His Majesty by a Commission under the Royal Sign Manual ”.
4	Omit.

Section

Adaptations

5 For this section substitute:—

“ 5. **Establishment of the Federation.**—(1) As from the fifteenth day of August, 1947, there shall be united in a Federation by the name of Pakistan—

(a) the Provinces hereinafter called **Governors' Provinces**,

(b) the Provinces hereinafter called **Chief Commissioners' Provinces**, and

(c) such Indian States as may accede to the Federation in the manner hereinafter provided.

(2) The said fifteenth day of August is the date referred to in this Act as the date of the establishment of the Federation ”.

6 Save as otherwise provided, for “ His Majesty ” substitute “ the Governor-General ”.

In sub-section (1), omit the words “ His Majesty the King ”, the words “ of India ”, and the proviso.

In sub-section (4), omit “ after the establishment of the Federation ”.

In sub-section (5), omit “ mentioned in the second Schedule thereto ”, and for “ or by authority of Parliament ” substitute “ the Federal Legislature ”.

Omit sub-section (7).

In sub-section (9), for “ His Majesty's ” substitute “ the Governor General's ” and for “ Parliament ” substitute “ the Federal Legislature ”.

7 In sub-section (1), omit “ on behalf of His Majesty ”.

In sub-section (2), omit all words after “ by or under this Act ”.

Section	Adaptations
8	In sub-section (1), for paragraphs (a), (b) and (c) substitute "to the matters with respect to which the Federal Legislature has power to make laws, including the exercise of rights, authority and jurisdiction in and in relation to areas outside Pakistan", and in the proviso omit paragraphs (iii) and (iv).
9	For this section substitute :— <p>" 9. Council of ministers.—There shall be a council of ministers to aid and advise the Governor-General in the exercise of his functions."</p>
10	In sub-section (2), omit "either Chamber of". Omit sub-section (5).
11 to 15	Omit.
16	In sub-section (2), for "British India" substitute "any Governor's Province or Chief Commissioner's Province". Omit sub-section (4).
17	In sub-section (3), omit all words after "said business". In sub-section (4), omit all words after "so transmitted". Omit sub-sections (4) and (5).
18	For this section substitute :— <p>" 18. Constitution of the Federal Legislature.—The powers of the Federal Legislature under this Act shall, until other provision is made by or in accordance with a law made by the Constituent Assembly under sub-section (1) of section 8 of the Indian Independence Act, 1947, be exercisable by that Assembly, and accordingly references in this Act to the Federal Legislature shall be construed as references to the Constituent Assembly."</p>

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19	In sub-section (1), omit "The Chambers of". In sub-section (2), for "the Chambers" substitute "the Dominion Legislature", omit "or either Chamber", and omit paragraph (c). Omit sub-section (3).
20	In sub-section (1), omit "either Chamber of" and "or both Chambers assembled together". In sub-section (2), omit "either Chamber of" and for "a Chamber to whom any message is so sent" substitute "the Legislature".
21	Omit "every counsellor". For "either Chamber, any joint sitting of the Chambers and any committee of the Legislature" substitute "the Federal Legislature or any committee thereof".
22	For "Council of State" substitute "Federal Legislature", for "Council" substitute "Legislature", and for "President" substitute "Speaker". Omit sub-section (5).
23 to 27	Omit.
28	In sub-section (1), omit "either Chamber of". In sub-section (2), for "the Chambers" substitute "the Federal Legislature". Omit sub-sections (3) and (4).
29	For "either Chamber" substitute "the Federal Legislature".
30	For this section substitute :— "30. Provision as to pending bills. —(1) A Bill pending in the Federal Legislature shall not lapse by reason of the prorogation of the Legislature.

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(2) A Bill which, immediately before the establishment of the Federation, was pending in the Legislative Assembly of the Indian Legislature may, subject to any provision to the contrary which may be included in rules made by the Federal Legislature under section 38 of this Act, be continued in the Federal Legislature as if the proceedings taken with reference to the Bill in the said Legislative Assembly had been taken in the Federal Legislature”.

31 Omit.

32 In sub-section (1), for “Chambers” substitute “Federal Legislature”, and omit “or that he reserves the Bill for the signification of His Majesty’s pleasure”.

Omit sub-sections (2) and (3).

23 In sub-section (1), omit “both Chambers of”.

In sub-section (2), omit all the words after “from other expenditure”.

In sub-section (3)—

(i) in paragraph (a) for “required to be made by Order in Council” substitute “made by or under the Third Schedule to this Act”;

(ii) for paragraph (c) substitute—

“(c) the salaries and allowances of ministers, of the advocate-general, and of chief commissioners”;

(iii) omit paragraphs (e), (f) and (g).

Omit sub-section (4).

34 In sub-section (1) omit “either Chamber of” and “or paragraph (f)”.

In sub-section (2), for “Federal Assembly, and thereafter to the Council of State, and either Chamber” substitute “Federal Legislature which” and omit the proviso.

Omit sub-section (3).

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35 In sub-section (1), for "Chambers" substitute "Legislature" and omit the proviso.

In sub-section (2), for "both Chambers" substitute "the Legislature".

To sub-section (3), add :—

"Provided that expenditure from the said revenues during the period beginning with the 15th day of August 1947 and ending with the 31st day of March 1948 may be authorised or ratified by general or special order of the Governor-General".

36 Omit "both Chambers of".

37 In sub-section (1), omit all words after "Governor-General".

In sub-section (3), for "either Chamber" substitute "the Federal Legislature" and for "that Chamber" substitute "the Legislature".

38 In sub-section (1), omit "Each Chamber of" and the proviso.

Omit sub-sections (2) and (4).

In sub-section (3), after "with respect to" insert "the Legislative Assembly of" and for "Governor-General" substitute "President of that Legislature".

39 Omit.

40 Omit sub-section (2).

42 For this section substitute :—

"42. Power of Governor-General to promulgate ordinances in cases of emergency.—(1) The Governor-General may, in cases of emergency, make and promulgate ordinances for the peace and good government of Pakistan or any part thereof, and any ordinance so made shall have the like force of law as an Act passed by the Federal Legislature; but the power of making ordinances under this section is

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subject to the like restrictions as the power of the Federal Legislature to make laws ; and any ordinance made under this section may be controlled or superseded by any such Act.

(2) Notwithstanding any restrictions imposed by the preceding sub-section, an ordinance made under this section may authorise expenditure from the revenues of the Federation."

43 to 45 Omit.

46 For sub-section (1) substitute : -

"(1) The following shall be Governor's Provinces, that is to say, East Bengal, West Punjab, the North-West Frontier Province, Sind, and such other Governor's Provinces as may be created under this Act".

Omit sub-section (2).

47 Omit.

48 For sub-section (1) substitute :

"(1) The Governor of a Province holding office as from the date of the establishment of the Federation is appointed by His Majesty by a commission under the Royal Sign Manual; but any person appointed thereafter to be the Governor of a Province shall be appointed by the Governor-General."

49 In sub-section (1) omit " on behalf of His Majesty".

50 For this section substitute :-

" 50. **Council of Ministers.** -
council of ministers to aid and advise the Governor in the exercise of his functions."

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51 For sub-section (5), substitute :—

“(5) In the exercise of his functions under this section with respect to the choosing and summoning and the dismissal of ministers the Governor shall be under the general control of, and comply with such particular directions, if any, as may from time to time be given to him by, the Governor-General.”

52-54 Omit.

55 Omit sub-section (4).

56-58 Omit.

59 In sub-section (3), omit all words after “said business”.

In sub-section (4), omit all words after “so transmitted”.

Omit sub-sections (4) and (5).

60 For this section substitute :—

“60. **Constitution of Provincial Legislatures :—**

There shall for every Province be a Provincial Legislature which shall consist of His Majesty, represented by the Governor, and one Chamber which shall be known as the Legislative Assembly.”

61 In sub section (1) for “Chamber or Chambers of the Legislature” substitute “Legislative Assembly”.

Omit sub-section (3).

62 In sub-section (1), for “Chamber or Chambers of each Provincial Legislature” substitute “Legislative Assembly of each Province.”

In sub-section (2), omit “or either Chamber” and “Chamber or”, and for “Chambers” substitute “Legislative Assembly.”

Omit sub-section (3).

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6	In sub-section (1), omit from "or, in the case" to "assembled together". In sub-section (2) for "Chamber or Chambers of the Provincial Legislature" substitute "Legislative Assembly", and for "a Chamber to whom any message is so sent" substitute "the Assembly".
64	Omit from "or, in the case of" to "of the Chambers".
65	Omit sub-section (5).
66	Omit "or President". In sub-section (1), for "a Chamber, or a joint sitting of two Chambers of a Provincial Legislature" substitute "a Provincial Legislative Assembly". In sub-section (2), for "Chamber of a Provincial Legislature" substitute "Provincial Legislative Assembly". In sub-section (3) omit from "or if at any time" to "ten members are present", and omit "or as the case may be at least ten members".
67	For the words from "that one" substitute "the form set out in that behalf in the Fourth Schedule to this Act".
68	Omit sub-sections (1) and (2). In sub-sections (3) and (4) for "a Chamber" substitute "a Provincial Legislative Assembly", and for "the Chamber" substitute "the Assembly".
69	For "India" substitute "Pakistan". In sub-section (1) omit "or Legislative Council". In paragraph (e) of sub-section (1), omit "whether before or after the commencement of this Part of this Act" and for "by a court in British India or in a State which is a Federated State" substitute "before the date of the establishment of the Federation by a court in British India, or on or after that date by a court in Pakistan".

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- In sub-section (2) for "Chamber of a Provincial Legislature" substitute "Provincial Legislative Assembly".
- In sub-section (3) for "Chamber" substitute "Provincial Legislative Assembly".
- 70 Omit "or Legislative Council".
- 71 In sub-section (1) for "Chamber of such a Legislature" substitute "Provincial Legislative Assembly".
- In sub-section (2), for "Chamber of a Provincial Legislature" substitute "Provincial Legislative Assembly" and for the words from "commencement" to "Province" substitute "establishments of the Federation enjoyed by members of that Assembly, or in the case of East Bengal and West Punjab, by members of the Provincial Legislative Assemblies of Bengal and the Punjab, respectively".
- In sub-section (3), for "a Chamber thereof or both Chambers sitting together" substitute "the Legislature".
- In sub-section (4), for "Chamber" substitute "Legislative Assembly" and for "India" substitute "Pakistan".
- 72 Omit "and Legislative Councils" and all words after "Legislature", and add the following proviso :—
 "Provided that until other provision is so made, members of the Legislative Assemblies of East Bengal and West Punjab shall be entitled to receive salaries and allowances at such rates and upon such conditions as were immediately before the establishment of the Federation applicable in the case of members of the Legislative Assemblies of Bengal and the Punjab, respectively."
- 73 Omit sub-sections (1) and (3).
- In sub-section (2) for "Chamber or Chambers thereof" substitute "Legislative Assembly".
- In sub-section (4) omit from "or which" to "Council".
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| 74 | Omit. |
| 75 | Omit from "or in the case of" to "Legislature".
In the proviso for "Chamber or Chambers" substitute "Legislative Assembly". |
| 76 | In sub-section (1) omit "or that he reserves the Bill for the signification of His Majesty's pleasure thereon", for "Chamber or as the case may be the Chambers of the Provincial Legislature" substitute "Provincial Legislative Assembly", and for "(Chamber or Chambers)" substitute "Assembly".
Omit sub-section (2). |
| 77 | Omit. |
| 78 | In sub-section (1) for "Chamber or Chambers of the Legislature" substitute "Legislative Assembly".
In sub-section (2) omit all words after "from other expenditure".
In paragraph (a) of sub-section (3) for "required to be made by Order in Council" substitute "made by or under the Third Schedule to this Act".
Omit sub-section (4). |
| 79 | For "Legislature" substitute "Assembly". |
| 80 | In sub-section (1) for "Chamber or Chambers" substitute "Assembly", and omit the proviso.
In sub-section (2) for "Legislature" substitute "Assembly".
To sub-section (3), add :—
"Provided that expenditure from the revenues of the Province of East Bengal or West Punjab during the period beginning with the fifteenth day of August 1947 and ending with the 31st day of March 1948 may be authorised or ratified by general or special order of the Governor". |
| 81 | For "Chamber or Chambers" substitute "Assembly" |
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82	In sub-section (1) omit all words after "Governor" In subsection (3) for "a Chamber of the Legislature" substitute "Legislative Assembly" and for "that Chamber" substitute "the Assembly".
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83	Omit.
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84	In sub-section (1) for "Chamber of a Provincial Legislature" substitute "Provincial Legislative Assembly", and omit the proviso.
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Omit sub-sections (2) and (4).

For sub-section (3) substitute :—

"(3) Until rules are made under this section the rules of procedure and standing orders in force immediately before the establishment of the Federation with respect to the Legislative Assemblies of Bengal and the Punjab, respectively, shall have effect in relation to the Legislative Assemblies of East Bengal and West Punjab, subject to such modifications and adaptations as may be made therein by the Speakers of those Assemblies."

85	Omit.
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86	Omit sub-section (2).
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88	For the proviso to sub-section (1) substitute :—
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"Provided that the Governor shall not, without instructions from the Governor-General, promulgate any such ordinance if an Act of the Provincial Legislature containing the same provisions would under this Act have been invalid unless, having been reserved for the consideration of the Governor-General, it had received assent of the Governor-General".

In sub-section (2) omit paragraph (b).

89—90	Omit.
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91	For this section substitute :— <p>“91. Excluded areas and partially excluded areas.— In this Act, the expressions “excluded area” and “partially excluded area” mean respectively such areas as were excluded or partially excluded areas immediately before the establishment of the Federation.”</p>
92	In sub-section (2) omit all words after “shall have no effect”. <p>Omit sub-section (3).</p>
93	Omit.
94	In sub-section(1) for the words from “Chief Commissioners’ Provinces” to “Panth Piploda” substitute “Chief Commissioner’s Province of British Baluchistan”. <p>Omit sub-section (2).</p>
95	Omit sub-section (1). <p>In sub-section (2) omit “as it extends to other Chief Commissioners’ Provinces”.</p> <p>In sub-section (3) omit the second sentence.</p>
96—98	Omit.
99	In sub-section(1), for “for the whole or any part of British India or for any Federated State” substitute “(including laws having extra-territorial operation) for the whole or any part of Pakistan”. <p>Omit sub-section (2).</p>
102	For “India” substitute “Pakistan”. <p>For sub-section (3) substitute “(3) A Proclamation of Emergency may be revoked by a subsequent Proclamation”.</p>
103	Omit “the Chambers of”.

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104	Omit sub-section (2).
105	Omit.
107	In sub-section (2) omit "or for the signification of His Majesty's pleasure" and "or of His Majesty".
108	Omit.
109	In sub-section (2), in paragraph (a) for "by the Governor General or by His Majesty" substitute "or by the Governor-General" and in paragraph (b) for "either by the Governor-General or by His Majesty" substitute "by the Governor-General".
110--121	Omit.
123	Omit.
124	In sub-section (4) for "India" substitute "Pakistan".
126	In the proviso to sub-section (2) omit "either (Chamber of)". Omit sub section (4). In sub-section (5) for the words from "Without prejudice" to "Governor of" substitute "The executive authority of the Federation shall also extend to the giving of directions to".
126A	In paragraph (a) omit all words after "exercised"
127	For "India" substitute "Pakistan".
129	In sub-section (4) for "the Governor-General" substitute "an arbitrator appointed by the Chief Justice of Pakistan". In sub-section (5) for "India" substitute "Pakistan", and omit all words after "any part thereof".
131	Omit the proviso to sub-sections (5) and (7), the words "His Majesty in Council or", and sub-section (9).

Section	Adaptations
15	Omit " His Majesty upon consideration of representations addressed to him by ". For " His Majesty in Council " substitute " the Governor-General ".
136	Omit " and subject to the provisions of this Act with respect to the Federal Railway Authority ".
138	For " subsequent Order in Council " substitute " Order of the Governor-General ".
	In sub-section (1) for " one per cent., or such other " substitute " such ".
	In sub-section (4) for " His Majesty in Council " substitute " Order of the Governor-General " and omit " or of the Federal Railway Authority ".
139	In sub-section (1), for " establishment of " substitute " accession of the State to ".
140	In sub-section (2) for " one half or such greater proportion as His Majesty in Council may determine " substitute " such proportion as the Governor-General may by order determine ".
142	For " His Majesty in Council " substitute " Order of the Governor-General ", for " His Majesty " substitute " the Governor-General ", and omit the proviso.
144	For " India " substitute " Pakistan ".
145—149	Omit.
150	For " India " substitute " Pakistan ".
151	Omit sub-section (2).
152	Omit.
153	Omit " either Chamber of ".
154A	Omit " the Federal Railway Authority or " and " that Authority or ".
155	In sub-section (1), for " British India " substitute " Pakistan ".

[Section	Adaptations
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| 156 | For "India" substitute "Pakistan". |
| 157—161 | Omit. |
| 162 | Omit "Subject to the provisions of Part XIII of this Act with respect to borrowing in sterling". |
| 163 | In sub-section (3), for "India" substitute "Pakistan" and omit "or by the Governor-General in Council".

In sub-section (4), for "the Governor-General and the decision of the Governor-General" substitute "an arbitrator appointed by the Chief Justice of India, whose decision". |
| 165 | Omit. |
| 166 | In sub-section (1), for "India" substitute "Pakistan" and for "His Majesty" substitute "The Governor-General".

In sub-section (2), for "His Majesty in Council", substitute "Order of the Governor-General".

In sub-section (3), for "His Majesty in Council" substitute "the Governor-General varying or extending such an Order". |
| 167 | In sub-section (1), for "His Majesty" substitute "the Governor", and omit "after the expiration of two years from the commencement of Part III of this Act".

In paragraph (b) of sub-section (2), for "sub-section (3)" substitute "sub-sections (2) and (3)". |
| 170—173 | Omit. |
| 175 | In sub-section (1), omit the proviso.

In sub-section (2), omit "or of the exercise of the functions of the Crown in its relations with the Indian States". |
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- In sub-section (3), omit " Subject to the provisions of this Act with respect to the Federal Railway Authority ".
- 176 In sub-section (1), for " India " substitute " Pakistan ".
- Omit sub-section (2).
- 177 Omit.
- 178 Omit all sub-sections except sub-section (3). In sub-section (3), after "this Act " insert " and of the Indian Independence Act, 1947 ".
- 179—199 Omit.
- 200 For " Chief Justice of India " substitute " Chief Justice of Pakistan ".
- In sub-section (1), for " as His Majesty " substitute " as the Governor-General " and for " an address has been presented by the Federal Legislature to the Governor-General for submission to His Majesty praying for " substitute " a resolution is passed by the Dominion Legislature approving ". In sub-section (2), for " His Majesty by warrant under the Royal Sign Manual " substitute " order of the Governor-General " and in paragraph (b) of the proviso omit " by His Majesty " where those words occur for the second time.
- In sub-section (3), omit " in British India or in a Federated State ".
- Add the following to sub-section (3) :—
- " In this sub-section, the expression " High Court " includes a High Court in a Federated State and any Court which was a High Court in British India ".
- 201 For " His Majesty in Council " substitute " the Governor-General ".
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202	In sub section (1), for "appointed by His Majesty " substitute " permanently appointed " and for " for the purpose " substitute " as acting Chief Justice ". In sub section (2), for " India " substitute " Pakistan ", and for " appointed by His Majesty " substitute " permanently appointed ".
203	For " Delhi " substitute " Karachi " and for " India " substitute " Pakistan ".
204	In sub-section (1), in sub-paragraph (i) of paragraph (a) of the proviso, after the word " thereunder " insert " before the date of the establishment of the Federation, or of an order made thereunder on or after that date, for the interpretation of the Indian Independence Act, 1947, or of any order made thereunder ", and in sub-paragraph (iii) of that paragraph, omit from " with the approval " to " Indian States ".
205	In sub-section (1), omit " in British India ", and after " made thereunder " insert " before the date of the establishment of the Federation or any order made thereunder on or after that date, or as to the interpretation of the Indian Independence Act, 1947, or of any order made thereunder ".
206	In sub-section (1), omit " in British India " and all words after " certificate as aforesaid " In sub-section (2), omit " in British India " In sub-section (3), omit " either Chamber of "
207	In sub-section (1), for "made thereunder or" substitute " made thereunder before the date of the establishment of Federation or an order made thereunder on or after that date or concerns the interpretation of the Indian Independence Act, 1947, or of any order made thereunder, or concerns ".

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208	In paragraph (a) for "made thereunder or" substitute "made thereunder before the date of the establishment of the Federation or an order made thereunder on or after that date or concerns the interpretation of the Indian Independence Act, 1947, or of any order made thereunder, or concerns".
210	In sub-section (2), omit "as respects British India and the Federated States" and "in British India" and for "British India or of any" substitute "a Governor's Province, Chief Commissioner's Province or".
212	For "British India" substitute "any Governor's province or Chief Commissioner's province", and for "thereunder" substitute "or order thereunder or of the Indian Independence Act, 1947, or of any order thereunder".
214	In sub-section (2), for "India" substitute "Pakistan".
216	Omit sub-section (2).
217	For "His Majesty" substitute "the Governor-General".
218	Omit "in British India" and for "outside British India" substitute "outside Pakistan".
219	For "British India" substitute "Pakistan".
	In sub-section (1), for the words from "High Courts in Calcutta" to "and in Sind" substitute "the High Court in Lahore, the High Court of East Bengal, the Chief Court in Sind, the Judicial Commissioner's Court in the North-West Frontier Province", for "His Majesty in Council" substitute "an Act of the appropriate Legislature", and in the proviso for "has been made whether before or after the commencement of Part III of this Act" substitute "is made" and omit "in India" and "of the Judicial Commissioner's Court in Sind".

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Add the following sub-section :—

“ In this chapter “ Pakistan ” means the territories comprised in the Governor’s Province and Chief Commissioner’s Province and does not include any Federated State ”.

- 220 In sub-section (1), for “ as His Majesty may ” substitute “ as the Governor-General may ” and for “ His Majesty in Council may fix ” substitute “ the Governor-General may by order fix ”.

In sub-section (2), for “ His Majesty may by warrant under the Royal Sign Manual ” substitute “ the Governor-General ”, in paragraph (b) of the proviso omit “ by His Majesty ” where these words occur for the second time, and in paragraph (c) omit “ by His Majesty ”.

In sub-section (3), for “ British India ” substitute “ Pakistan ” and after “ shall be included ” insert “ and in computing the period during which a person has served as a judge of the High Court or been a pleader of a High Court or held judicial office, in Pakistan, any period before the establishment of the Federation during which the person has served as a judge or been a pleader of any High Court in British India or has held judicial office in British India, as the case may be, shall be included ”.

- 221 For “ His Majesty in Council ” substitute “ order of the Governor-General ”.

- 222 In sub-section (1), for “ appointed by His Majesty ” substitute “ permanently appointed ” and for “ for the purpose ” substitute “ as acting chief justice ”.

In sub-section (2), for “ appointed by His Majesty ” substitute “ permanently appointed ”.

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- 223 After "any other Act" insert "to the provisions of any order made under the Indian Independence Act, 1947," and for "commencement of part III of this Act" substitute "establishment of the Federation".
- 224 For "India" substitute "Pakistan".
- 228 Omit sub-section (2).
- 230 In sub-section (1), for "His Majesty in Council" substitute "the Governor-General," for "extend" substitute "by order extend" and for "British India" substitute "Pakistan".
In sub-section (2), for "commencement of Part III of this Act" substitute "establishment of the Federation".
- 231 In sub-section (2), omit "and expenses".
- 232—239 Omit.
- 240 For "India" substitute "Pakistan".
In sub-section (2), after "aforesaid" insert "who having been appointed by the Secretary of State or the Secretary of State in Council continues after the establishment of the Federation to serve under the Crown in Pakistan shall be dismissed from the service of His Majesty by any authority subordinate to the Governor-General or the Governor according as that person is serving in connection with the affairs of the Federation or a Province, and no other such person as aforesaid".
- 241 In sub-section (1), for "India" substitute "Pakistan" and omit "after the commencement of Part III of this Act".
In sub-sections (2) to (5) omit "in India".
In sub-section (3), in paragraph (a) for "some person empowered by the Secretary of State to give directions in that respect" substitute "the Governor-General or the Governor, as the case may be"
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and in paragraph (b), for " Secretary of State or by some person empowered by the Secretary of state to give directions in that respect " substitute " Governor-General or the Governor as the case may be ".

242 Omit sub-sections (1) and (2), for " India " substitute " Pakistan ".

In sub-section (3), after " two posts in the " insert " railway ".

243 For " India " substitute " Pakistan ".

244—252 Omit.

253 In sub-section (1), for " Orders in Council " substitute " orders of the Governor-General ", and for " His Majesty " substitute " the Governor-General ".

Omit sub-sections (2) and (3).

257—259 Omit.

260 For the words from " commencement of Part III " to the end of the sub-section substitute " establishment of the Federation shall, if it would have been payable by the Government of any province if the Indian Independence Act, 1947, had not been passed, be paid out of the revenues of that province or, if that province has ceased to exist, of such new province as may be determined by orders made under that Act and in any other case shall be paid out of the revenues of the Federation of Pakistan or of India as may be so determined ".

Omit sub-section (2).

261 Omit.

262 In sub-sections (1) and (2) for " India " substitute " Pakistan ".

Omit sub-sections (3) and (5).

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- In sub-section (4) for "India" where it first and last occurs, substitute "Pakistan" and in paragraph (a) of the proviso for "is in the permanent service of the Crown in India" substitute "was in the permanent service of the Crown in India (within the meaning of this Act as originally enacted)".
- 265 In sub-section (1), omit "in India".
In sub-section (3), for "India" substitute "Pakistan".
- 266 In sub-section (3), omit "The Secretary of State as respects services and posts to which appointments are made by him" and "other" before "services and posts".
In sub-section (4), for "India" substitute "Pakistan".
- 267 Omit all words after "Governor".
- 269, 270 Omit.
- 271 In sub-section (1), for "India" substitute "Pakistan", for "Indian Code of Criminal Procedure" substitute "Code of Criminal Procedure, 1898", for "Indian Code of Civil Procedure" substitute "Code of Civil Procedure, 1908", and omit "either Chamber of".
Omit sub-section (2).
In sub-section (3), for "Indian Code of Civil Procedure" substitute "Code of Civil Procedure, 1908".
- 272-274 Omit.
- 275 For "India" substitute "Pakistan" and omit paragraph (c).
- 277 Omit sub-sections (2) and (3).
- 278-289 Omit.
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- 290 In sub-section (1), for " His Majesty may by order in Council " substitute " the Governor-General may by order " and for the words from " before the draft " to " Chamber or Chambers of the Legislature " substitute " before making any such order the Governor-General shall ascertain the views of the Government ".
- For sub-section (2) substitute :—
- "(2) An Order made under this section may contain such provisions as the Governor-General may deem necessary or proper—
- (a) for varying the representation in the Federal Legislature of any Governor's Province the boundaries of which are altered by the order ;
 - (b) for varying the composition of the Legislature of any such Province;
 - (c) where a new Governor's Province is created, for constituting the Legislature thereof ;
 - (d) for apportionments and adjustments of, and in respect of, assets and liabilities ; and
 - (e) for other supplemental, incidental and consequential matters."
- 291 For " His Majesty in Council may from time to time make provision " substitute " in relation to any Provincial Legislature, provision may be made by an Act of that Legislature "
- 292-294 Omit.
- 295 Omit sub-section (1).
- 296 In sub-section (1), for " British India " substitute " a Governor's Province or Chief Commissioner's Province ".
- 298 In sub-section (1), for "India " substitute " Pakistan " and omit " British ".
- Omit sub-section (3).
- 299 In sub-section (1), omit " in British India ".
- In sub-section (3), omit " either Chamber of " and " in a Chamber of ".
- 300 Omit.
- 302-303 Omit.
- 304 For " India " substitute " Pakistan ".
- 305A Omit.
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- 306 In sub-section (1)—
 for “ India ” substitute “ Pakistan ” ;
 for “ against the Governor of a Province or
 against the Secretary of State ” substitute
 “ or against the Governor of a Province ” ;
 for “ His Majesty in Council ” substitute “ the
 Governor-General ” ;
 after “ has been the Governor-General ” insert
 “ His Majesty’s representative for the ex-
 ercise of the functions of the Crown in its
 relations with Indian States ” ; and in the
 proviso for “ a Province or the Secretary
 of State ” substitute “ a Province ”.

Omit sub-section (2).

307-310 Omit.

- 311 Omit sub-sections (1), (3), (4) and (5).

In sub-section (2)—

in the definition of ‘ agricultural income ’ and
 ‘ corporation tax ’ for “ India ” substitute
 “ Pakistan ” ;

in the definition of ‘ corresponding Province ’
 for “ His Majesty in Council ” substitute
 “ the Governor-General ” ;

In the definition of ‘ existing Indian law ’ omit
 “ Indian ”, for “ commencement of Part III
 of this Act ” substitute “ establishment of
 the Federation ” and after “ territories ”
 insert “ which were ” ;

After the definition of guarantee insert :—

“ “ Indian State ” means any territory re-
 cognised by the Federation as being such
 a State, whether described as a State,
 an Estate, a Jagir or otherwise ” ;

Section	Adaptations
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in the definition of 'pension' omit "in India, Burma or Aden";

in the definition of 'public notification' for "India" substitute "Pakistan", and after that definition insert :—

"Ruler in relation to an Indian State means the Prince, Chief or other person recognised by the Federation as the Ruler of the State".

In the definition of "Indian State railway" omit "the Federal Railway Authority".

In sub-section (6) omit "or a Governor-General's Act" and "or a Governor's Act".

312-320 Omit.

Schedule	Adaptations
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First Schedule. Omit.

Second Schedule. Omit.

Third Schedule. For the entries in paragraph 1, substitute :—

"The Governor-General 1,25,000 rupees.

The Governor of East Bengal	} 72,000 rupees.
The Governor of West Punjab	

The Governor of the North-	} 66,000 rupees."
West Frontier Province.	
The Governor of Sind	

In paragraphs 2 and 3 for "His Majesty in Council" substitute "Order of the Governor General".

Schedule

Adaptations

In paragraph 4 for " Order in Council " substitute " Order of the Governor General ".

In paragraph 5 for " appointed by His Majesty " substitute " appointed " and for " His Majesty in Council " substitute " Order of the Governor General ".

Fourth For the Forms substitute :—
Schedule.

1

Form of oath or affirmation to be taken or made by a member of a Legislature :

" I, A. B., having been elected (*or* nominated *or* appointed) a member of this Council (*or* Assembly), do solemnly swear (*or* affirm) that I will bear true faith and allegiance to the Constitution of Pakistan as by law established, and that I will faithfully discharge the duty upon which I am about to enter."

2

Form of judicial oath or affirmation :—

" I, A. B., having been appointed Chief Justice (*or* a judge) of the Court do solemnly swear (*or* affirm) that I will bear true faith and allegiance to the Constitution of Pakistan as by law established and that I will faithfully perform the duties of my office to the best of my ability, knowledge and judgment."

Fifth In sub-paragraph (b) of paragraph 1, omit " in the
Schedule, case of seat in a Legislative Assembly " and " and
 in the case of a seat in a Legislative Council,
 not less than thirty years of age ".

Schedule

Adaptations

In paragraph 4, —

In sub paragraph (i), omit “and, in the case of Bombay, seven shall be reserved for Marathas,” in sub-paragraph (ii), for “ten columns” substitute “nine columns”, and omit “(e) the European community”; for “the Punjab” substitute “West Punjab”.

In paragraph 5 for “His Majesty may deem” substitute “the Governor-General may by order declare,” and omit “(v) for the election of persons to fill the European seats, if any” and “except in the case of Bihar”.

In paragraph 6, omit “and in the Province of Bombay for Marathas” and “or, as the case may be, for Marathas”.

In paragraph 8, for “fifteen to nineteen” “substitute “fourteen and fifteen”.

In paragraph 10, omit “and in Bihar the person to fill the Indian Christian seat”.

In paragraph 11, for “the Punjab” substitute “West Punjab”.

In paragraph 12, omit “by a European”.

Omit paragraphs 13 to 18.

In paragraph 19 :—

for the definitions of “a European”, “an Anglo-Indian”, “an Indian Christian” and “the scheduled castes” substitute the following definitions :—

“ ‘a European’ means a person whose father or any of whose other male progenitors in the male line is or was of European descent and who is not a native of India or Pakistan or any Indian State ;

Schedule

Adaptations

‘ An Anglo-Indian ’ means a person whose father or any of whose other male progenitors in the male line is or was of European descent but who is a native of India, Pakistan or an Indian State ;

‘ an Indian Christian ’ means a person who professes any form of the Christian religion and is not a European or an Anglo-Indian ;

‘ the Scheduled Castes ’ means such castes, races or tribes or parts or groups within castes, races or tribes, being castes, races, tribes, parts or groups which appear to the Governor-General to correspond to the classes of persons formerly known as “ the depressed classes ”, as the Governor-General may by order specify’ .” ;

for “ His Majesty in Council may from time to time ” substitute “ Governor-General may from time to time by order ” ;

for “ His Majesty in Council ” in the definition of “ perscribed ” substitute “ order of the Governor-General ”.

In paragraph 20, for “ His Majesty in Council ” substitute “ order of the Governor-General ” and omit “ or in the case of Bombay for Marathas ”. For the Table of Seats pertaining to Provincial Legislative Assemblies substitute :—

TABLE OF SEATS

Provincial Legislative Assemblies

Province	Total Seats	General Seats		Seats for representatives of backward areas and tribes	Sikh Seats	Muhammadan Seats	Anglo Indian Seats	Indian Christian Seats	Seats for representatives of commerce, industry, mining and planting	Landholder Seats	University Seats	Seats for representatives of labour	Seats for Women	
		Total of General Seats	General seats reserved for Scheduled Castes										General	Muhammadan
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
East Bengal	178	49	19			118		1	1	3	1	3	1	1
West Punjab	103	12	2		14	63	1	2	1	4	1		1	2
North-West Frontier Province	50	9			3	36				2				
Sind	58	18				33			2	2		1	1	1

In West Punjab one of the Landholders' seats shall be a seat to be filled by a Tumandar

Schedule

Adaptations

Omit the Table of Seats pertaining to Provincial Legislative Councils.

Sixth Schedule.
In Part I,

in paragraph 5, omit " a European constituency " and " a European ";

in paragraph 6, omit " European constituency " and the proviso ;

in paragraph 12, for " British India police force " substitute " police force belonging to a Governor's Province or Chief Commissioner's Province ";

in paragraph 13,—

in sub-paragraph (1), omit " European " and for " Part I of the First Schedule " substitute " the Fifth Schedule ";

in sub-paragraph (2) for " order in Council delimiting territorial constituencies " substitute " the Government of India (Provincial Legislative Assemblies) Order, 1936, or an Act of the Provincial Legislature ", after " any such Order in Council " insert " or Act ", and omit " European constituency ";

in sub-paragraph (6), omit " Indian ".

Omit Parts II and III.

In Part IV,—

in the Title, for " Bengal " substitute " East Bengal "; in sub-paragraph (1) of paragraph 1, omit the proviso;

omit paragraph 7 ;

in paragraph 8, omit " which is not a Calcutta constituency " and for " in the municipality of Howrah, municipal taxes or fees of not less than three rupees, or, in any other " substitute " in any ";

Schedule

Adaptations

omit paragraph 11 ;

in paragraph 14, for " Bengal " substitute " East Bengal " and omit the definitions of ' Calcutta ' and of ' a Calcutta constituency ' and sub-paragraph (2).

Omit Part V.

In Part VI, in the Title and in paragraph 10, for " The Punjab " substitute " West Punjab ".

Omit Parts VII, VIII, IX and XI.

In Part XII, omit the proviso to paragraph 1.

Seventh In List I,—

Schedule for entry 1 substitute :—

" 1. The naval, military and air forces of the Federation and any other armed force raised or maintained by the Federation ; any armed forces which are not forces of the Federation but are attached to or operating with any of the armed forces of the Federation ; central intelligence bureau ; preventive detention for reasons of State connected with defence or external affairs." ; in entry 2, omit " (not being cantonment areas of Indian State troops) ", and omit " within British India " ;

in entry 3, for " India " substitute " Pakistan " ;

for entry 11 substitute :—

" 11. Libraries, Museums and similar institutions controlled or financed by the Federation. " omit entry 13 ;

for entry 14 substitute :—

" 14. Federal Surveys and Federal meteorological organisations." ;

in entry 17, for " India " substitute " Pakistan ", before " subjects of any " insert " or " and omit " or British subjects domiciled in the United Kingdom " ; for entry 39 substitute :—

" 39. Extension of the powers and jurisdiction of members of a police force belonging to any province to any area in another province, but not so as

Schedule

Adaptations

to enable the police of one province to exercise powers and jurisdiction in another province without the consent of the government of that province ; extension of the powers and jurisdiction of members of a police force belonging to any unit to railway areas outside that unit.

In this entry " province " includes a Chief Commissioner's province ;

in entry 40, omit " and of any Order in Council made thereunder " ;

in entry 41, omit " of the President and Vice-President of the Council of State ", for " Assembly ", substitute " Legislature ", and omit " to such extent as is expressly authorised by Part II of this Act " ;

in entry 45, for " India " substitute " Pakistan "

in entry 50, for " India " substitute " Pakistan "

omit entry 52.

In List II,—

in entry 11, omit " and of any Order in Council made thereunder " ;

in entry 12, omit " and if there is a Legislative Council, of the President and Deputy President thereof ", and for " Provincial Legislature " substitute " Legislative Assembly " ;

in entry 15, for " India " substitute " Pakistan "

in entry 17, omit " other than those specified in paragraph 13 of List I " ;

in entry 40, for " India " substitute " Pakistan "

Eighth Omit.
Schedule.

Ninth Omit.
Schedule.

II

The India (Central Government and Legislature) Act, 1946.

Section	Adaptations
1	Omit.
2	For " Indian Legislaturo " substitute " Federal Legislature ". In sub-section (2) for " Governor General in Council " substitute " Federation ". In sub-section (3) omit " either Chamber of".
3	In sub-section (1) for the words " Indian Legislature" where they first occur substitute " Federal Legislature ", and for " Governor General in Council " substitute " Central Government ". In sub-section (2) for " Governor General in Council " substitute " Federation ".
4	For " both Houses of Parliament " substitute " the Federal Legislature ". After section 4 insert the following :— " 4A. <i>Powers of the Federal Legislature to be powers of the Constituent Assembly.</i> —The powers of the Federal Legislature under this Act shall, until other provision is made by or in accordance with a law made by the Constituent Assembly under sub-section(1) of section 8 of the Indian Independence Act, 1947, be exercisable by that Assembly, and accordingly references in this Act to the Federal Legislature shall be construed as references to the Constituent Assembly ".
6	Omit sub-section (1).

MOUNTBATTEN OF BURMA,
Governor General.

K. V. K. SUNDARAM,
Officer on Special duty.

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